







Brit. 519

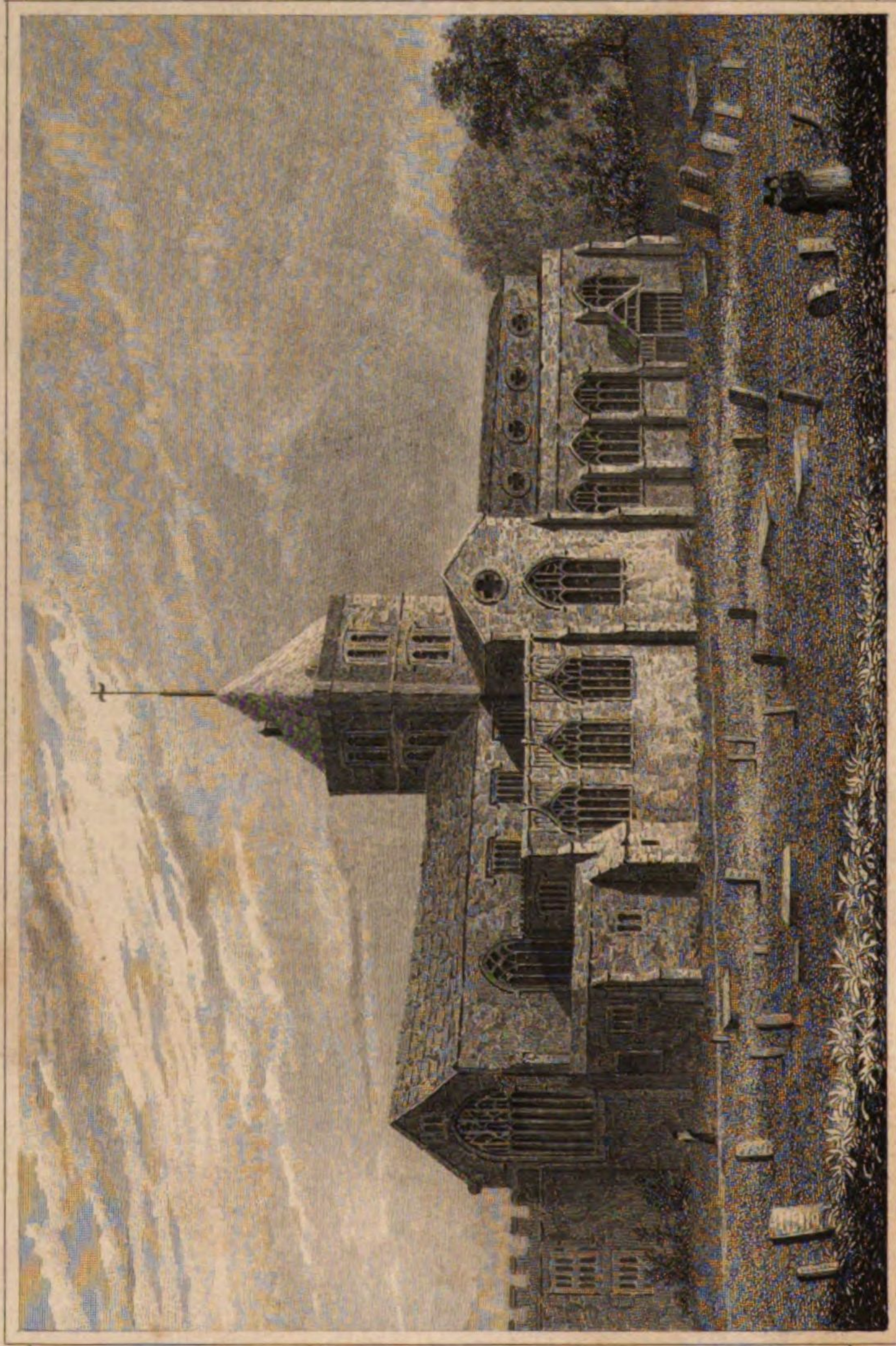
Tierney

<36627081950012

<36627081950012

Bayer. Staatsbibliothek





G. C. del.

NORTH VIEW OF ARUNDEL CHURCH.

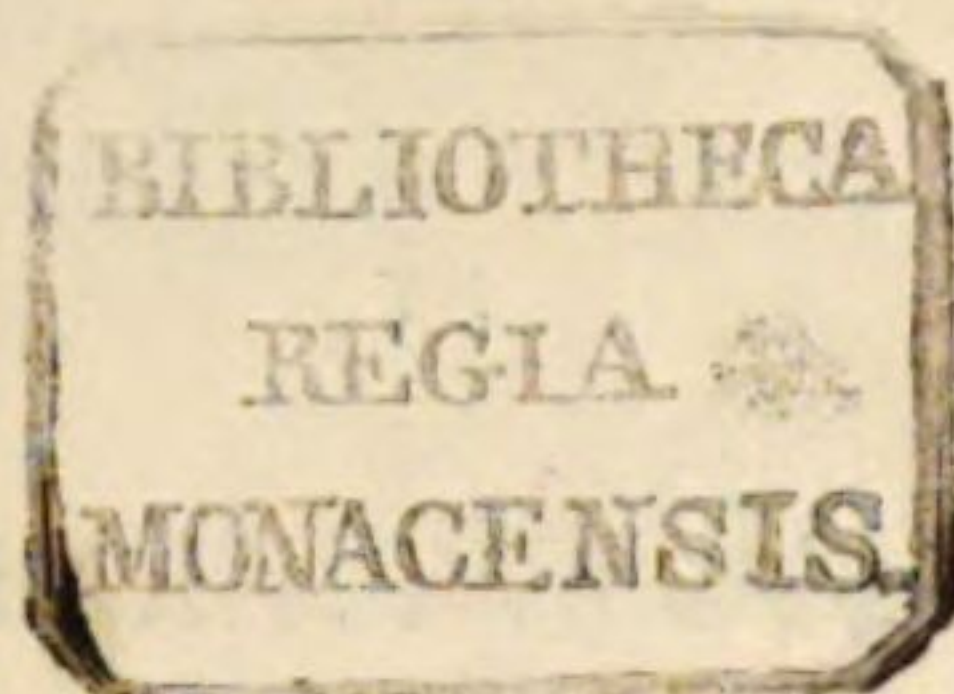
C. J. Smith sculp.

THE
HISTORY AND ANTIQUITIES
OF
THE CASTLE AND TOWN
OF
ARUNDEL;
INCLUDING
THE BIOGRAPHY OF ITS EARLS,
FROM
THE CONQUEST TO THE PRESENT TIME.

BY
THE REV. M. A. TIERNEY, F. S. A.
CHAPLAIN TO HIS GRACE THE DUKE OF NORFOLK.

VOL. II.

LONDON:
G. AND W. NICOL, PALL MALL.
1834.



LONDON :

PRINTED BY W. NICOL, CLEVELAND-ROW, ST. JAMES'S.

D

THE HERINE, Dnd daugh- t and at length E of John & ckholes, of 16 ton, in Lan- Naire, Esq., 43 April 30, h, married ob. 8. 1739, ob. de. 21, 1784, buried at Arun- In Inscrip. on in. Collins, 137. Stem. il.	HENRY, ob. cœl. vit. patris. THOMAS, ob. cœl.	BER- NARD, born in 1711, ob. S. P.	HENRY HOWARD, of Shef- field, born April 9, 1713, ob. Nov. 11, 1787, bu- ried at Sheffield. Stem. fa- mil.	= JULIANA, second daughter of Sir Wil- liam Moli- neux, Bart. of Wellow, in Notts, married Oct. 30, 1764, ob. 1808. Stem. famil.	THOMAS, canon of St. Peter's Doway. CHARLES, a Doc- tor of the Sor- bonne, and su- perior of the seminary of St. Gregory, at Paris, born in 1717, ob. 1793. ANNE, abbess of the English nuns at Paris. MARY, died young. Stem. famil.
---	---	---	--	--	--

THOMAS = born S. ob- bu- tle lin- ce on, 31 ob. 11, 24, af- un- tor (C far lad lor tot bra	= ELIZABETH, third daughter of Edward Long, Esq. of Bangor, mar- ried Sep. 12, 1801, still liv- ing, in Octo- ber, 1833.	= EDWARD-CHARLES HOWARD, F. R. S. born at Darnell, in the parish of Shef- field, May 28, 1774, ob. Sep. 28, 1816, buried at St, Pan- cras, Middlesex.	= ELIZABETH MAYCOCK, ob. 1811.	MARY BRIDGET, born Sep. 29, 1767, married, Oct. 13, 1785, to Robert- Edward, tenth Lord Petre, still living in Oct. 1833. JULIANA-BAR- BARA, born June 25, 1769, married, Jan. 16, 1788, to Robert-Edward, ninth Lord Petre, ob. April 16, 1833.
--	--	---	---	---

EDWARD-GILES WARD, married, . 11, 1826, Fran- Anne, eldest ghter of George- ert Heneage, , by whom he has e, two sons, of om the elder was n Feb. 13, 1829, younger in Sept.	JULIA, married, Feb. 12, 1829, to the Hon. Henry Stafford Jerningham, eldest son of Lord Staf- ford.
---	--

WARD,	= ADELIZA-MATILDA HOWARD, born Aug. 14, 1829.
---------------------------------	--

1. The first part of the paper is devoted to a general discussion of the problem. It is shown that the problem is of great importance in the theory of the differential equations of the second order. The problem is to find the general solution of the differential equation

$$y'' + p(x)y' + q(x)y = r(x)$$

where $p(x)$, $q(x)$ and $r(x)$ are functions of x . The general solution of this equation can be found by the method of variation of parameters. The method consists in assuming that the general solution is of the form

$$y = u_1 y_1 + u_2 y_2 + u_3 y_3$$

where y_1 , y_2 and y_3 are the solutions of the homogeneous equation

$$y'' + p(x)y' + q(x)y = 0$$

and u_1 , u_2 and u_3 are functions of x to be determined. The method of variation of parameters leads to a system of three linear equations for u_1 , u_2 and u_3 . The solution of this system gives the general solution of the original equation.

2. The second part of the paper is devoted to a detailed discussion of the method of variation of parameters. It is shown that the method can be applied to the solution of the differential equation

$$y'' + p(x)y' + q(x)y = r(x)$$

where $p(x)$, $q(x)$ and $r(x)$ are functions of x . The method consists in assuming that the general solution is of the form

$$y = u_1 y_1 + u_2 y_2 + u_3 y_3$$

where y_1 , y_2 and y_3 are the solutions of the homogeneous equation

$$y'' + p(x)y' + q(x)y = 0$$

and u_1 , u_2 and u_3 are functions of x to be determined. The method of variation of parameters leads to a system of three linear equations for u_1 , u_2 and u_3 . The solution of this system gives the general solution of the original equation.

3. The third part of the paper is devoted to a detailed discussion of the method of variation of parameters. It is shown that the method can be applied to the solution of the differential equation

$$y'' + p(x)y' + q(x)y = r(x)$$

where $p(x)$, $q(x)$ and $r(x)$ are functions of x . The method consists in assuming that the general solution is of the form

$$y = u_1 y_1 + u_2 y_2 + u_3 y_3$$

where y_1 , y_2 and y_3 are the solutions of the homogeneous equation

$$y'' + p(x)y' + q(x)y = 0$$

and u_1 , u_2 and u_3 are functions of x to be determined. The method of variation of parameters leads to a system of three linear equations for u_1 , u_2 and u_3 . The solution of this system gives the general solution of the original equation.

4. The fourth part of the paper is devoted to a detailed discussion of the method of variation of parameters. It is shown that the method can be applied to the solution of the differential equation

$$y'' + p(x)y' + q(x)y = r(x)$$

where $p(x)$, $q(x)$ and $r(x)$ are functions of x . The method consists in assuming that the general solution is of the form

$$y = u_1 y_1 + u_2 y_2 + u_3 y_3$$

where y_1 , y_2 and y_3 are the solutions of the homogeneous equation

$$y'' + p(x)y' + q(x)y = 0$$

and u_1 , u_2 and u_3 are functions of x to be determined. The method of variation of parameters leads to a system of three linear equations for u_1 , u_2 and u_3 . The solution of this system gives the general solution of the original equation.

CHAPTER VIII.

BIOGRAPHICAL NOTICES OF THE EARLS OF ARUNDEL.—HOUSE OF HOWARD.

THE demise of Henry, Earl of Arundel, as mentioned at the close of the preceding chapter, the previous death of his only son, and the failure of issue in Lady Lumley, the elder of his two daughters, transferred his title, with the principal portion of his property, to the family of Howard. Of that house the origin is lost in an obscurity, which has long continued to baffle the industry of the most persevering enquirers. It has been referred, indeed, to the remotest periods of our history: conjecture has attempted to trace it among the annals of the Saxon æra; and Hereward, the chieftain whose exploits against the Conqueror have been recorded by Ingulph,^a has more than once been described as the progenitor of the family. It is evident that a distant similarity of name offers the only ground for this assumption. Hereward himself was known to Ingulph: the daughter of Hereward too was the neighbour and the friend of that historian; and we are assured by him that this lady, who became the wife of Hugh Evermue, was the only offspring of her father's marriage.^b With Hereward, therefore, it is clear that the line of Howard can have no connexion: it is not less certain, that the other theories,

^a P. 67—71.

^b "Genuit unicam filiam, quæ nunc superest in nostrâ conviciniâ."
Ing. 67.

Sir Wil-
liam Ho-
ward.

advanced, at different times, on the same subject, are equally destitute of foundation; and the earliest epoch, from which the descent has hitherto been satisfactorily traced, is not more remote than the close of the thirteenth century.^a The first of the name, with whom history is acquainted, was William Howard, or Haward, of Wigenhale, in Norfolk. He was a judge in the court of Common Pleas, from June, 1298, to the same period, in the year 1309; was summoned to parliament, among the judges, both by Edward the first and his successor; and is known to have been distinguished, as well by the talents which he possessed, as by the employments with which he was honoured by the crown.^b From this eminent person the fifth in descent was Sir Robert Howard, of whom little is recorded beyond his marriage with Margaret, the second of the two daughters of Thomas Mowbray, Duke of Norfolk, by Elizabeth, sister and coheir to Thomas Fitzalan, Earl of Arundel. By that event, however, he appears to have laid the foundation of the subsequent splendour of his family. Through her father, his wife was the great-granddaughter of Margaret Plantagenet, who herself was the

Sir Robert
Howard.

^a In a MS. in the college of Arms, cited by Collins under the name of Philpot, but written by an anonymous author in the reign of Richard the third, the line is traced to William, grandson to Auber Earl of Poissy, who is said to have accompanied the Conqueror to England, and to have been created Earl of Gloucester by that monarch. In another MS. drawn up by Henry Lilly, Rouge Dragon, in 1638, and now in the possession of the Marquess of Northampton, a different descent is marked out; and a Saxon, named Howard, the supposed cousin of Oslac, Earl of Northumberland, in the time of king Edgar, is produced as the ancestor of the family. Both these genealogies, however, want proof. ^b Dugd. Bar. II. 265.

daughter of Thomas de Brotherton, fifth son of king Edward the first;^a and the connexion, established by this alliance between Sir Robert and the crown, was soon found to operate beneficially on the interests of his immediate descendant. That descendant was Sir John Howard, afterwards so celebrated in the history of his time. Engaged in the wars, the intrigues, and the diplomacy of the age, his talents seem to have been as various as his activity was constant: whilst the appointments which he held, and the dignities to which he attained, bear ample testimony to the favour that he enjoyed under three successive monarchs. By Henry the sixth he was more than once employed in the execution of his military projects:^b by the same prince he was afterwards called to assist in re-establishing the authority of his crown against the usurpation of the fourth Edward; and, as the reward of his services, or the purchase of his fidelity, was, during the short period of the restoration, in 1470, elevated to the peerage, and summoned to parliament by the title of Baron Howard.^c His attachment to Henry, however, seems to have been too equivocal to displease the rival competitor for the throne; as the favours, which he subsequently continued to receive from Edward, were insufficient to secure his adherence to the interests of that monarch's infant successor. To Richard the third he was indebted for the most splendid portion of his honours. On the twenty-eighth of June, 1483, scarcely a week after his accession, that prince created him Duke of Norfolk: at the same time, he invested him with the

Sir John
Howard,
First Duke
of Norfolk.

^a Dugd. Bar. I. 128, 130.

^b Stow, 396, 397.

^c Append. to First Peerage Rep. 977.

Thomas,
Second
Duke.

Thomas,
Third
Duke.

dignity of hereditary Earl Marshal of England; and thus revived in his person the illustrious titles of distinction, which the Mowbrays, Thomas de Brotherton, and, before him, Roger Bigod, had previously enjoyed.^a With his death, at the battle of Bosworth, and his posthumous attainder by Henry the seventh, the reader must already be acquainted. By his first wife, Catherine, daughter of William, Lord Molineux, he had five children. Of these, Thomas, his only son, who had been created Earl of Surrey, in 1483, shared in the calamity of his attainder: but was ultimately restored to favour; became the hero of Flodden; and by the gratitude of Henry the eighth, who had already conferred on him the office of Earl Marshal, was advanced to the dukedom of Norfolk.^b He died May 21, 1524, having, by his two wives, Elizabeth, daughter of Sir Frederick Tilney, of Ashwellthorp, and Agnes, daughter of Sir Philip Tilney, of Boston, had ten sons and six daughters, of whom Thomas, the eldest by the first marriage, succeeded him in his titles, and became third Duke of Norfolk. This nobleman is known in history by his talents, his services, and his misfortunes, by his achievements in the cabinet and the field, by the death from which he was saved through the demise of his persecutor, Henry the eighth, and by the imprisonment which he continued to suffer, during the whole of the following reign. He is distinguished, moreover, as the parent of one of the sweetest of our early poets, the accomplished Henry of Surrey: but Surrey lived not to inherit the honours of his house: a premature and violent death snatched him from the

^a Cart. 1 Ric. 3. m. 1. et Pat. 1 Ric. 3. p. 1. m. 18.

^b Pat. 2 Hen. 8. p. 2. et 5 Hen. 8. p. 2. m. 18.

world, in 1547 ; and, on the decease of the Duke, therefore, in 1554, Thomas, the elder of Surrey's two sons, then in the nineteenth year of his age, succeeded to the titles of the family. With the history of Thomas, fourth Duke of Norfolk, few readers are unacquainted. His attachment to the Scottish queen, and his sufferings in the cause of that unhappy princess, have rendered his name familiar to most persons : whilst the notices of his life, and the selections from his epistolary correspondence, which, from time to time, have been published to the world, have contributed to impart an interest of no ordinary description to his character. Perhaps, however, the following, from amongst the latest of his letters, will not be wholly unacceptable. The first is addressed to William Dyx, his steward, and is written on one of the leaves of a New Testament, now in the possession of the Duke of Norfolk :^a the other, of which the orthography has been modernized by the transcriber, is addressed in a similar manner to a friend, whose name is not recorded, and is existing in a copy of Grafton's Chronicle, belonging to Henry Jadis, Esq. of Bryanstone Square. They are both dated in the interval between his condemnation and execution, in 1572.

Thomas,
Fourth
Duke.

To William Dyx.

“ Farewell good Dyx, your servys hathe bene so faythefull unto me as I ame sorye that I cane not make profe off my good wyll to recompense ytt. I trust my

^a The Testament, which bears Dyx's name inscribed on the title-page, appears to have been sent to him, as a memorial, from the Duke.

deathe schall not make no change in you towards myne, but that you wyll faythefullye perfourme the trust that I have reposed in you. Forgett me, and remember me in myne. Forgett not wth planenes to councell and advyse Phylp's and Nanne's unexperyencyd yeares: the rest off ther brothers and systers well-doyng restythe muche upon ther vertyous and consyderat dealyngs. God grant them his grace, whyche ys able to worke better in them than my naturall well-meanyng harte cane wyshe unto them, Amen: and so hopying off your honestye and faythefullnes when I am deade, I bide you thys my last farewell, the 10 off febru. 1571. ·T· H·"

*To George * * * * **

" Good friend George, farewell. I have no other tokens to send my friends but my books, and I know how sorrowful you are, amongst the rest, for my hard hap, whereof I thank God, because I hope his merciful chastisement will prepare me for a better world. Look well throughout this book, and you shall find the name of Duke very unhappy. I pray God it may end with me, and that others may speed better hereafter. But, if I might have my wish, and were in as good a state as ever you knew me, yet I would wish for a lower degree.

" Be a friend, I pray you, to mine, and do my hearty commendations to your good wife, and to gentle Mr. Denny. I die in the faith that you have ever known me to be of. Farewell, good friend. 1572.

" Your dying, as he was living,

" Norfolk."

" God bless my Godson, Amen."

He was thrice married; but had issue only by his first two wives. By Margaret, his second lady, he had two sons and two daughters, of whom Thomas was Earl of Suffolk, and William, the "belted Will Howard" of the poet, became the ancestor of the Earls of Carlisle. By his first duchess, Mary, second daughter of Henry Fitzalan, Earl of Arundel, he had one son, Philip, the subject of the following memoir.

XXIII.

PHILIP HOWARD, FIRST EARL OF HIS FAMILY.

Philip Howard was the only son of Thomas, Duke of Norfolk, by Mary, younger daughter of Henry Fitzalan, Earl of Arundel, and was born at Arundel House, on Monday, June 28, 1557.^a On the following Friday, he 1557.
was baptized, with much solemnity, in the royal chapel at Whitehall, in the presence of the queen and her royal husband, and that of all the principal attendants of the court. The ceremony was performed by Dr. Nicholas Heath, archbishop of York, and chancellor of the kingdom, "in a font of gold made of purpose, and kept in the treasury only for the christening of the children of the princes of the realm." His great-grandmother, Elizabeth, dowager Duchess of Norfolk, held him at the font; and king Philip himself, who, with the Earl of Arundel, acted as sponsor on the occasion, conferred his own name upon the infant. But, in the course of a few weeks, he lost his mother. A puerperal

^a MS. Life of Philip Howard, in the possession of the Duke of Norfolk, ch. 1. p. 1.

fever seems to have ensued upon the birth; and, on the twenty-fifth of the following August, she expired, in the seventeenth year of her age.^a

^a Ibid. p. 2. Strype, Memorials, III. 378. The funeral of the Duchess is thus described by Strype. "August 31: The young Duchess of Norfolk being lately deceased, and her hearse, began to be set up on the 28th in St. Clement's, without Temple Bar, was this day finished with banners, pensils, wax, and scutcheons.

"The noble wife of Thomas, the young Duke of Norfolk, daughter and heir of the Earl of Arundel, who seemed to have died in child-bed, had her funerals solemnized on the first of September. At afternoon began the knell. The church, and the Place (i. e. *Bath Place*, now belonging to the Earl of Arundel), and the street hanged with black and arms. By three of the clock she was brought to the church, with an hundred mourners. Her Grace had a canopy of black velvet with four staves borne over her, and many banners and bannerols borne about her: and the Bishop of London in his cope, and his mitre on his head, and all the choir of Paul's were present; two great white branches, and a twelve dozen staff torches; eight heralds of arms; the Lady Lumley chief mourner; and many lords, and knights, and gentlemen, ladies, and gentlewomen, attending the obsequies." Memorials, III. 383.

The correctness of this passage, however, as far as relates to the interment having taken place at *St. Clements'*, has been questioned by Brooke, in a MS. letter still preserved at the Herald's College (I. C. B. 46. fol. 41.). Brooke's objection is grounded on a passage, which occurs in an autograph will of Thomas, Earl of Arundel, the Duchess's grandson, dated in 1617, and in which the testator desires, that his grandmother of Norfolk may be removed "from *Framlingham*" to Arundel, "because she brought that honour and place to our house." But the Earl was evidently in error. In a later will, dated at Dover, September 3, 1641, and recited by Walker (MS. Harl. N^o. 6272, fol. 30.), he corrected his mistake, and repeated his wishes thus:—"If my grandmother of Nordfolk's body could bee found in *St. Clement's church*, I desire it might bee caryed to Arundell." The will referred to by Brooke is at Norfolk House. Wills, Bund. 1. N^o. 7.

Deprived of the care which this incomparable woman would have bestowed on him, and of the guidance which he would have derived from her counsels, the infancy of the young nobleman was necessarily consigned to the superintendence of strangers. To “a grave and ancient gentlewoman” the direction of his earlier years was entrusted; but “his natural vivacity and forwardness of wit” soon demanded a more efficient preceptor, and Gregory Martin, a man of high classical reputation, and, at that time, fellow of St. John’s College, Oxford, was selected by the Duke to undertake the important task of his son’s education. Martin was not yet a professed catholic: but his mind had imbibed the doctrines, and his affections were already settling on the practices, of the ancient church: so that, whilst his instructions were leading his pupil rapidly through the elements of profane learning, the peculiar tendency of his religious opinions would scarcely fail to manifest itself to the perception, and to act on the susceptibility, of the youth. How long he continued to fill the office of tutor we are not informed. An order from the Duke, who was in confinement, that his household should attend the prayers and sermons of certain reformed ministers, lately introduced into the family, determined him at once to declare his sentiments; and resigning his charge, therefore, he hastened to the continent, and was immediately reconciled to the catholic church.^a

^a MS. Life, ch. 2. p. 4. “For his better education, the Duke made choice of Mr. Gregory Martin But he, being wholly catholic in his judgement and affection, either could not, or would not, stay with him, after that the Duke, in time of his troubles, had given order that certain forward ministers should preach unto his household and

The young Earl was now left to pursue his studies without a guide, whilst the policy of his father was already preparing to execute a plan, which he had long since formed, for the future aggrandizement of his family. That nobleman, with the hand of Elizabeth, widow of Lord Dacre, whom he had married on the death of his second wife, had obtained the wardship of her children, George, Lord Dacre, and three daughters. George, whilst yet an infant, had been accidentally killed at Thetford; and the daughters, therefore, becoming co-heirs to the immense property of the Dacres, the Duke resolved, if possible, to unite his wards with three of his own sons, and thus secure the inheritance in his own family. Anne, the eldest, was selected by her guardian as the bride of the young Earl of Surrey. They were each entering their thirteenth year: a mutual attachment had for some time existed between them; and Norfolk, anxious to accomplish this great object of his domestic policy, thought he might at length venture to conclude the match.^a In the course of the year 1569—

“family, and that all therein should frequent service, sermons, and the like; and, either then, or soon after, he resolved to become catholic.” Ibid. Mr. Dallaway professes to print this passage; but, by some accident, gives it thus:—“Gregory Martin, of St. John’s Coll. Oxon, was his tutor *and a zealous Catholic*; but *removed by the Duke, his father*, who encouraged Protestant Ministers.” Rape of Arund. 162. note. New Ed.

^a It was in reference to this marriage that, in July, 1570, he addressed the following passage of a letter from the Tower, to Dyx, his steward:—“Whereas theare hathe byne of late an offer made unto me by my L. of Arundell and my brother Lumley, for the tyinge of certen porcōns of land unto Phillip, and unto his heires; and, for faulte of yssue of him, to me and my heires, parte after my L. of Arundell his owne deceasse, and parte after my brother Lumleyes and my

probably before the Duke's committal to the tower in October—they were “publicly married or betrothed:” but the age of one, at least, of the parties was insufficient to legalize the ceremony as a marriage, and, hence, it became necessary to renew the contract at a subsequent period. By the latter end of the year 1571, Surrey had attained to “years of full consent.” The Duke, therefore, who had been committed a second time to the tower, issued “a special order” on the subject; and the young couple were re-married, in the presence of their families, but “without any noise or public solemnity, by reason the Duke, at that time, was in disgrace and in trouble, about the business of the queen of Scots.”^a The following extract from a letter, written by his father from the tower, so forcibly illustrates the character and situation of the youthful Earl, at this period, that its introduction here will require no apology.^b

“sister Lumleyes deceasse; w^{ch} offer I am like ynowgh to go
 “thorowghe wthall: theare wantythe nothings but money, whereof
 “they be grediest, and I unhablest to provide, as yow know. Never-
 “thelesse, if this matche take, I am determind to sell away those
 “things that I never meante to departe wthall: and, therefore, I pray
 “yow looke yow over my revenew booke, and send me worde of yor
 “opinion what things yow think fyttest to be solde, and wilbe best
 “bought.” Original, at Norf. House. N^o. 161.

^a MS. Life, ut sup. ch. 2. p. 5. MS. Life of Anne, Countess of Arundel, in the possession of the Duke of Norfolk, p. 5.

^b The letter, which contains a separate address to each of the Duke's children, is printed entire by Dr. Nott, in his edition of Surrey and Wyatt's Poems, I. Append. N^o. 35. The original is preserved among the Harleian MSS. N^o. 787.

“ To my loving children, specially to Philip and Nan.

“ Dear children ; this is the last letter that ever I think to write to you ; and, therefore, if you loved me, or that you will seem grateful to me for the special love that I have ever borne unto you, then, remember, and follow these my last lessons. Oh Philip ! serve and fear God above all things ! I find the fault in myself, that I have (God forgive me !) been too negligent in this point. Love and make much of your wife ; and (for) therein, considering the great adversity you are now in, by reason of my fall, is your greatest present comfort and relief ; besides your happiness in having a wife, which is endued with so great towardness in virtue and good qualities, and, in person, comparable with the best sort. Follow these two lessons, and God will bless you ; and, without these, as you may see by divers examples out of the scripture, and also by ordinary worldly proof, where God is not feared all goeth to wreck ; and where love is not between the husband and wife, there God doth not prosper. My third lesson is, that you shew yourself loving and natural to your brothers and sisters, and sisters-in-law. Though you be very young in years, yet you must strive, with consideration, to become a man : for it is your own presence and good government of yourself that must get friends ; and, if you take that course, then have I been so careful a father unto you, as I have taken such order, as you, by God’s grace, shall be well able, besides your wife’s lands, to maintain yourself like a gentleman. Marry ! the world is greedy and covetous ; and if the shew of the well-government of yourself do not fear and restrain their greedy appetite,

it is like that, by undirect means, they will either put you from that which law layeth upon you, or else drive you to much trouble in trying and holding your right. When my grandfather died, I was not much above a year elder than you are now; and yet, I thank God, I took such order with myself, as you shall reap the commodity of my so long passed travel, if you do now imitate the like. Help to strengthen your young and raw years with good counsel. I send you herewith a brief schedule, whom I wish you to make account of as friends, and whom as servants; and I charge you, as a father may do, to follow my direction therein: my experience can better tell what is fit for you, than your young years can judge of. I would wish you, for the present, to make your chief abode at Cambridge, which is the place fittest for you to prosecute your learning in; and, besides, is not very far hence, whereby you may, within a day's warning, be here to follow your own causes, as occasion serveth. If, after a year or two, you spend your time in some house of the law, there is nothing that will prove more to your commodity, considering how, for the time, you shall have continual business about your own law-affairs; and thereby also, if you spend your time well, you shall be ever after better able to judge in your own causes. I too late repent, that I followed not this course that now I wish to you; for if I had, then my case, perchance, had not been in so ill state as now it is. When God shall send you to those years, as that it shall be fit for you to company with your wife (which I had rather were sooner, than that, by ill company, you should fall into any ill rule), then I would wish you to withdraw yourself into some private

dwelling of your own. And if your hap may be so good, as you may so live without being called to higher degree, —Oh Philip! Philip! then shall you enjoy that blessed life, which your woful father would fain have done, and never could be so happy. Beware of high degree. To a vain-glorious, proud stomach it seemeth as the first sweet. Look into all chronicles, and you shall find that, in the end, it brings heaps of cares, toils in the state, and most commonly, in the end, utter overthrow. Look into the whole state of the nobility in times past, and into their state now, and then judge whether my lessons be true or no. Assure yourself, as you may see by the books of my accounts, and you shall find, that my living did hardly maintain my expenses; for all the help that I had by Tom's lands, and somewhat by your wife's and sisters-in-law, I was ever a beggar. You may, by the grace of God, be a great deal richer and quieter in your low degree, wherein, once again, I wish you to continue. They may, that shall wish you the contrary, have a good meaning: but believe your father, who of love wishes you best, and with the mind, that he is at this present fully armed to God, who sees both states, both high and low, as it were even before his eyes. Beware of the court, except it be to do your prince service, and that, as near as you can, in the meanest degree; for that place hath no certainty: either a man, by following thereof, hath too much of worldly pomp, which, in the end, throws him down headlong, or else he liveth there unsatisfied, either that he cannot attain to himself that he would, or else that he cannot do for his friends as his heart desireth. Remember these notes, and follow them; and then you, by God's help, shall

reap the commodity of them in your old years. If your brothers may be suffered to remain in your company still, I would be most glad thereof; because continuing still together should still encrease love between you. But the world is so catching of every thing that falls, as I believe Tom, being, after my death, the queen's majesty's ward, shall be begged by one or another. But yet, you are sure to have your brother William left still with you; because, poor boy, he hath nothing to feed cormorants withal; to whom you will as well be a father as a brother; for, upon my blessing, I commit him to your charge to provide for, if that which I have assured him by law shall not be so sufficient as I meant it. If law may take place, your sisters-in-law be surely enough conveyed to the behoof of your brothers; and then I would wish them to [be] brought up with some friend of mine; as, for the present, I allow best of Sir Christopher Heydon, if he will so much friend you as to receive [them] to sojourn with him: if not, then in some other place, as your friends shall best allow of. And touching the bestowing of your wife and Megg, who I would be loth should be out of your wife's company; for, as she should be a good companion for Nan, so I commit Megg of special trust to her. I think good, till you lie together, if my lady of Sussex might be entreated to take them to her as sojourners, there were no place so fit, considering her kindred unto you, and the assured friend that I hope you shall find of her; besides, she is a good lady. If it will not be so brought to pass, then, by the advice of your friends, take some other order: but, in no case, I would wish you to keep any house till you and your wife lie together. Thus I

have advised you as my troubled memory can presently suffer me. Beware of pride, stubbornness, lechery, taunting, and sullenness, which vices nature doth somewhat kindle in you, and therefore you must, with reason and discretion, make a new nature in yourself. Give not your mind too much and greedily to gaming: make a pastime of it, and no toil. And lastly, delight to spend some time in reading of the scriptures; for therein is the whole comfort of man's life; all other things are vain and transitory: and if you be diligent in reading of them, they will remain with you continually to your profit and commodity in this world, and to your comfort and salvation in the world to come, whither, in grace of God, I am now with joy and consolation preparing myself. And, upon my blessing, beware of blind papistry, which brings nothing but bondage to men's consciences. Mix your prayers with fasting, not thinking thereby to merit; for there is nothing that we of ourselves can do that is good; we are but unprofitable servants: but fast, I say, thereby to tame the wicked affections of the mind; and trust only to be saved by Christ's precious blood; for, without your perfect faith therein, there is no salvation. Let works follow your faith, thereby to shew to the world that you do not only say you have faith; but that you give testimony thereof to the full satisfaction of the godly. I write somewhat the more herein, because, perchance, you have heretofore heard, or, perchance, may hereafter hear, false bruits that I was a papist: but, trust unto it, I never, since I knew what religion meant (I thank God), was of other mind than now you shall hear that I die in; although (I cry God mercy) I have not given fruits and testimony

of my faith, as I ought to have done ; the which is the thing that I do now chiefliest repent. When I am gone, forget my condemning, and forgive, I charge you, my false accusers, as, I protest to God, I do ; but have nothing to do with them, if they live. Surely, Bannister dealt no way but honestly and truly. Hickford did not hurt me in my conscience willingly, nor did not charge me with any great matter that was of weight otherways than truly. But the bishop of Ross, and specially Barker, did falsely accuse me, and laid their own treasons upon my back. God forgive them, and I do, and once again I will you to do : bear no malice in your mind. And now, dear Philip, farewell. Read this my letter sometimes over ; it may chance make you remember yourself the better ; and by the same, when your father is dead and rotten, you may see what counsel I would give you, if I were alive. If you follow these admonitions, there is no doubt but God will bless you ; and I, your earthly father, do give you God's blessing and mine, with my humble prayers to Almighty God, that it will please him to bless you, and your good Nan ; that you may both, if it be his will, see your children's children to the comfort of you both ; and afterward that you may be partakers of the heavenly kingdom. Amen, Amen. The twentieth of January, 1571.

“ Written by the hand of your loving father, &c.

“ T. N.”

To the advice contained in this beautiful and affecting address small, unfortunately, was the attention which its thoughtless object was inclined to pay. On

1572. the death of his father, indeed, in June, 1572, the necessity of perfecting his education pressed itself on the attention of his guardians; and, in company with his two younger brothers, he was induced, in the course of the same year, to repair to Cambridge. His pursuits at college, however, seem to have but ill accorded with the object of his friends. The flattery of some of his companions and teachers, the profligate example of others, and the unbounded license granted to young men of superior condition, soon combined to divert his attention from the serious occupation of study, to the lighter and more fashionable follies of the time: so that, when, at the end of two years, he quitted the university, to be presented to queen Elizabeth, he was fully qualified to enter into all the revelries, and to participate in all the vices, of her licentious court.^a To that princess, indeed, notwithstanding her boasted affectation of virtue, the dissolute habits of a gay and thoughtless courtier were no mean recommendation. She received him with kindness, and even with cordiality; and he returned her favours by a determination to secure, if it were possible, a continuance of her regard. To watch her humour, to study her antipathies, to avoid every thing that might excite her displeasure, became now his constant aim.^b His
- 1574.

^a MS. Life, ch. 2. p. 6.

^b This anxiety to secure the favour of Elizabeth arose, in part, from the fact, that "he had understood by some, who had caused his nativity to be calculated, that he should be in great danger to be overthrown by a woman, the which he interpreted to be no other than the queen." MS. Life, ch. 3. p. 7. His grandfather, Surrey, is also said to have consulted an astrologer, and to have had the pain of learning, what was afterwards verified, that his son was doomed to

wife—for he had observed that Elizabeth “ could not “ endure his lady, nor, indeed, the wife of any one, to “ whom she shewed any special grace ”—was first neglected, and then disowned. His grandfather, the Earl of Arundel, who had long been the object of royal persecution, and his aunt, the Lady Lumley, were alternately mortified by his unkindness, and disgusted by his undutiful demeanour; while a succession of tournaments, and tilts, and extravagant entertainments, intended to celebrate the anniversaries of the queen’s coronation, or lavished upon herself, her courtiers, and her attendants, testified his anxiety for her approbation, and obtained, perhaps, for a moment, the profitless acknowledgment of her smiles. But he soon found reason to be sensible of the emptiness of such rewards. Whilst the parsimony of Elizabeth was gratified by being feasted at his expense, his means were running silently, but rapidly, to waste. His grandfather too, and his aunt, provoked by his misconduct, had alienated much of the family property, which would otherwise have descended to him; and thus, when he came at length to awake, as it were, from his delirium, and to look round on the ruin that had accumulated about him, he discovered that the only consequence of his misguided proceedings had been, to impoverish his resources, to curtail his destined inheritance, and to involve him in debts, which years of economy and privation would scarcely be able to liquidate.^a

misfortune, and himself to an untimely death. Nott’s *Memoirs of Surrey*, p. xxx.

^a MS. *Life*, ch. 3. p. 6—9. The following passages are taken from another MS., to which I have already had occasion to refer.

It is not improbable that these considerations first induced him to pause in his career of licentious prodi-

The Earl "being carryed away with evill company, wherewith the
" court did then abound, he began, at first, something to neglect his
" wife, seldome either comeing or sending to see her. And after,
" entering into vain hopes of obtaining y^e queen's speciall favour,
" w^{ch} could not be had (as was observed) by any, if they shew'd any
" love for their wives, he not only manifestly neglected, but in a
" manner also rejected, her and came at length to utter such
" words as might insinuate a doubt in him whether she were his wife
" or no." Under these circumstances, the lady seems to have resorted
to some personal attempts at reconciliation, but, finding them ineffec-
tual, " she resolv'd, for her last refuge, to have recourse to his grand-
" father, y^e Earl of Arundel, above mention'd, who not only received,
" entertained, and kept her in his house, as long as he lived, and used
" her with all kindnesse, as his own childe, but moreover did his best
" endeavour to reclaime his grandchilde, her husband, and make him
" perform his obligation towards her, tho' all in vain, so was he then
" mislead, by evill counsell and bad company.

" Among others who laboured to reconcile y^e Earl, her husband, to
" her, John Fox, the author of that pernicious book, call'd '*Acts and*
" *Monuments*,' would needs intrude himself, by reason of his ac-
" quaintance with them formerly in the Duke of Norfolk's house,
" from whom he had a competent pension granted for his life, w^{ch}
" was as duely paid him by y^e Earl, as his wordes about y^e better
" usage of his lady were little regarded. Whereupon addressing him-
" self to her, he undertook, by prayer made to God, to obtaine w^t he
" did pretend: but that not succeeding, and his manner of praying
" being such y^t both y^e lady, and others about her, who esteem'd him
" more than she, deem'd him more than half craz'd in his wits, he urg'd
" her very earnestly to go with him from Arundell House, where then
" she liv'd, to y^e Earl her husband, at Charter House, not doubting
" (as he said) but y^t y^e Lord would move his hart: and so eager was
" he therein, y^t he would not desist, till one, a great admirer of him
" there present, spoke to him in these wordes,—'Man of God, were
" it not better that her lord should come hither to her?'—This said,

gality : the death of his grandfather, the Earl of Arundel, in 1580, completed the impression, and withdrew him from the levities of the court to the society of his wife, and the more honourable duties of his station. The reader will recollect the instrument, which, on the day of Arundel's death, was drawn up and signed by Lord Lumley and the Earl of Surrey.^a In consequence of that agreement, the latter entered into immediate possession of the Castle of Arundel, and having established his claim to the Earldom, which the council were, in the first instance, inclined to resist, he, on the eleventh of April, in the same year, took his seat in the house of lords. In the following March, the bill restoring him in blood received the royal assent; and Elizabeth, as an additional testimony of her regard, instantly availed herself of it, to raise him to the dignity of a privy-counsellor.^b But these honours, instead of attaching him more firmly to the court, seem only, by making him sensible of his importance, to have hastened a separation, which he had previously meditated. The frivolous pursuits and criminal excesses, that had hitherto engaged him, were

“ he gave over urging her, tho' afterwards he was so importune and
 “ impertinent, that y^e old Earle, haveing notice thereof, thought it
 “ convenient to wish him not to trouble himself in comeing there any
 “ more about that business, there being so little hope, for the present,
 “ of doing any good therein.” MS. Life of the Countess, ch. 3. p. 10, 11.

^a See pages 19 and 129 of this History. The instrument in question is signed “ P. HOWARD : ” but, from the body of the deed, we find that, notwithstanding his father's attainder, he still held the honorary title of Earl of Surrey.

^b Lords' Journals, II. 13, 54. Collins, I. 107.

now forsaken: the profligate connexions, that he had formed, were dissolved; and in the arms of his wife he hastened to atone for that neglect, which, through years of sorrow and of constancy, he never afterwards ceased to deplore.^a To the recollection, indeed, of these youthful aberrations his mind often turned in the bitterness of repentance. In his letters to his intimate friends, he perpetually recurs to the subject, in the most pathetic terms of self condemnation; and, even in the solitude of his prison, when death, for aught he knew, was waiting at his very threshold, the bitterest portion of his expected trial was, that he must leave the world before he could make "full satisfaction to his wife according to his most ardent and affectionate desire." One of his letters to his countess, written after his condemnation, thus describes his feelings, even at that late period.

" Mine own good wife

" I must now in this world take my last farewell of you, and, as I know no person living whom I have so much offended as yourself, so do I account this opportunity of asking you forgiveness as a singular benefit of Almighty God, and I most humbly and hartely beseech you, even for his sake, and of your charity, to forgive me all whereinsoever I have offended you: and the assurance thereof is a great contentment to my soul at this present, and will be a greater, I doubt not, when it is ready to depart out of my body. And I call God to witness it is no smal grief unto me that I cañot make you recompence in this world for the wrongs I have done you; for, if it

^a MS. Life, ch. 3. p. 7.

had pleased God to have granted me longer life, I doubt not but you should have found me as good a husband to my poor ability, by his grace, as you have found me bad heretofore.....He that knows all things knows, that which is past is a nail in my conscience, and burden the greatest I feel there. My will is, to make satisfaction, if my ability were able; but tho' I should live never so long, I could never do it further, than by a good desire to do it, which, while I have any spark of breath, shall never be wanting."^a

It will be easily supposed that with Elizabeth, whose enmity to the countess was already notorious, this alteration in his sentiments and conduct would operate powerfully to his disadvantage. She was mortified and vexed: and, in the resentful feelings that arose, was prepared to listen to every tale, and to catch at every circumstance, which promised, however remotely, to place him within the grasp of her vengeance. Unfortunately, it was not difficult to discover such grounds of crimination, as the vagueness of the existing law, and the subservient temper of the courts were equally prepared to recognize. In addition to the conversion of the countess, whom the inhabitants of Arundel had already presented as a recusant,^b the Earl himself was not unsus-

^a MS. Life, ch. 21. p. 85, 86.

^b The following account of the circumstances attending this lady's reconciliation to the catholic church is curious. Having "made a firm purpose, by God's grace, forthwith to become a member of the catholick church of Christ, by y^e help of one Mr. Richard Bayly, a catholick gentleman, who belong'd to y^e Earl, her husband, she brought it soon after to effect: for, haveing found out a grave and

1583.

pected of a favourable bias towards the ancient creed. He had, in fact, been present at the conferences, lately held between Campian and his opponents in the tower: and influenced by the arguments of the former, he had not only determined to embrace the catholic religion himself, but had engaged his brother, the Lord William Howard, to imitate his example. The danger, however, attending such a step, was sufficiently evident. The

“ ancient man, made priest in y^e reign of Queen Mary of happy memory, he brought him privatly to Arundell Castle, where she then kept house by her lord’s appointment.

“ She took great care that her reconciliation to y^e church, and meeting with y^e priest to y^t end, might be done with as much secrecy as possible, the times beginning then to be very troublesome. And, therefore, because she had not any catholick woman about her at y^t time, nor any other whom she durst acquaint of y^t business, she was forced to go alone, at an unseasonable time, from her own lodgings, by certain darke obscure wayes, & dangerous passages, to y^e chamber where the priest was lodg’d, to make her confession to him, it being thought by Mr. Bayly and herself that otherwise it could not possibly be done without discovery, or great danger, at least, thereof. But, notwithstanding all y^t care and secrecy, within a month or two, she was presented as a recusant, by y^e inhabitants of y^e town, & Mr. Bayly was convented & accus’d, before the bishop of Chichester, as a seminary priest; of the which, tho’ he was easily clear’d and acquitted, yet, because y^e oath of supremacy was offered and not taken by him, he was forc’d to leave the country, and, soon after, the kingdom also.” As to the countess herself, “ as soon as the queen had notice of her becoming catholick, she commanded her, then being with child, to be taken from her own house, & to be brought to Wiston, in Sussex, y^e dwelling place, at y^t time, of Sir Thomas Shirley, Knight, there to be kept prisoner till further orders. In y^t manner she remained for y^e space of one year, & was delivered of her daughter.” MS. Life of the Countess, ch. 4 and 5. pp. 12, 13, 15.

countess, who, for a similar act, had been imprisoned by Elizabeth, was but just released from a tedious confinement;^a and the two brothers, therefore, unwilling to expose their liberty to the same hazard, resolved to abandon their country, and seek an asylum in Flanders, "there to remain till more quiet times." In pursuance of this plan, Momford, the Earl's secretary, was despatched to Hull, with orders to embark at that port, and wait the arrival of his master, in Flanders. Arundel himself, with his brother and a single attendant, was preparing to commence his journey by a different route, and every thing was ready for his departure, when a message from Elizabeth announced that she was about to honour him with a visit at Arundel House. Almost at the same moment, Momford unexpectedly returned. He had been apprehended at Hull, and carried, on suspicion of some traitorous design, before the Earl of Huntingdon, then President of the north. Of the precise nature of his examination, as well as of the means by which he regained his liberty, we have no information. The prosecution of his journey, however, was abandoned, and he returned to London, to announce the failure of his mission, and to convince his master of the perils that

^a "After a year's imprisonment, she was set at liberty, y^t which, tho' it was some comfort to her for y^e time, yet was it less than y^e affliction she felt upon the restraint of her lord, *which soon after followed.*" MS. Life of the Countess, ch. 5. p. 16. I notice this, because all the historians, from Camden to Dr. Lingard, who mention the circumstance, represent the arrest of the countess to have been simultaneous with that of her husband, and her release to have taken place several months subsequent to the period, at which he regained his liberty.

surrounded him. Yet from those perils it was now impossible to recede. Though it was evident that suspicion would attach itself to his actions, Arundel saw that his only prospect of safety was in boldly opposing himself to the danger. The preparations, therefore, for the royal visit were hastened; the Earl expressed his gratification at the condescension of the queen; and every thing was made to wear the appearance of rejoicing. On the appointed day, Elizabeth arrived. Arundel received her in state: a sumptuous banquet was served up; and the splendour of the feast testified at once the magnificence of his taste, and the profoundness of his respect for the royal guest. At its conclusion, the queen, having declared her satisfaction, "gave him many thanks for her entertainment there," and informed him that he was a prisoner in his own house. The next morning, he was summoned before the privy-council, and, after two separate examinations on the subject of his religion, was again remanded to his confinement. On the fourth day, Lord Hunsdon, "who in former times had been the Duke his father's page, and now was his great enemy," appeared with a commission to renew the interrogatories. To the questions concerning his religion were now added others, tending to implicate him in the recent conspiracy of Throckmorton: but his examiner, if he expected to obtain from his answers any substantial materials for accusation, was speedily undeceived; and, at the end of fifteen weeks, during which Momford was more than once threatened with the rack, in the hopes of extorting from him some charge against his master, the Earl, as well as

his uncle and brother, who had also been arrested, was discharged.^a

This imprisonment, which had impeded his union with the ancient church, had also convinced him of the hopelessness of any present scheme, for withdrawing himself from the country. It had moreover impressed him with an idea, that his past delay in following the dictates of his conscience was already provoking the chastisements of heaven; and one of his first acts, there-

^a MS. Life, Ch 4, 5. p. 9—14. Letter of the Earl to Queen Eliz. apud Stow, 703. I have not noticed the story of the counterfeit letters, said to have been distributed by Walsingham, in the name of the Scottish queen, because the circumstances, which led to the Earl's arrest and confinement, are sufficiently explained without it. That such letters were employed in many instances there can be no doubt: but it is quite certain that, as regards the Earl of Arundel, they were utterly unknown to his biographer. See Camden, 354.—Of the depth of Elizabeth's resentment, and her anxiety to obtain some evidence against the Earl, we have a singular instance in one of the examinations of Momford. "The day following, he was examin'd a third
" time, and whilst he was in examination, on a suddain unexpectedly
" the queen, the Earl of Leicester, and divers others of the council
" came into the house, to understand, as it seems, what he had con-
" fessed. Sir Christopher (Hatton) told them what answer he had
" made to every thing; but they, not resting satisfy'd therewith,
" caus'd him, after many threats of racking and other tortures, to be
" sent prisoner to the Gatehouse." MS. Life, ch. 5. p. 13. In a MS. volume, preserved in the Heralds' College (I. C. B. 46. fol. 64.), are some notes for a life of the Earl, drawn from the MS. to which I have here referred. Amongst others, the passage just cited appears: but, by some strange misconception, the writer has converted the real incident into a story, which makes Elizabeth and her courtiers *conceal themselves at Arundel House*, for the purpose of *overhearing* the examination of *the Earl*. It is singular that Mr. Lodge has made the same mistake, in his *Illustrious Portraits*.

fore, after his liberation, was, to send for a missionary, and to be reconciled to the catholic faith.^a He now found himself involved in new difficulties. Unwilling to withdraw entirely from court, lest suspicion or offence should be created, and unable to perform the trifling duties of his situation, without compromising his principles, his conscience and his employments were placed in perpetual opposition. To save the former, the latter were generally evaded or neglected. If the queen, at the opening of parliament, attended a sermon at Westminster, whilst the rest of the nobles were assembled "above in the chancel," he was to be seen loitering alone "below in one of the aisles:" if his office required him to accompany his royal mistress to her devotions in the palace, he either absented himself entirely, or retired "as soon as he had brought her to the chapel:" whether at Greenwich, or in London, there was invariably something in his behaviour, on such occasions, which attracted the notice, and provoked the whispers, of the court: and thus it was, that, whilst the severity of the penal laws was rapidly encreasing, the very suspicion, from which he had every thing to apprehend, was obtaining hourly and fatal confirmation. It was impossible that he should fail to perceive the hazards which he thus incurred; to escape them, he at length resolved to adopt the only remaining alternative, and, desperate though it might be, to make another attempt at flight. Having hired a vessel, therefore, to convey him to the coast of France, he secretly prepared for his intended journey: but, before

1585.

^a MS. Life, ch. 6. p. 14, 15.

his departure, he resolved to acquaint Elizabeth with his motives, and, for this purpose, addressed to her a long and eloquent epistle, wherein, after describing “the course of his former life,” the anxiety with which he had sought her confidence, and the willingness with which he had “made himself a stranger to his own house, to be a continual waiter on her majesty,” he proceeded to complain of the decline of her favour, pointed at the ascendancy of his enemies, and the unmerited disgrace already visited upon him, spoke of the fate of his three immediate ancestors, whose innocence had been unable to shield them from the punishment of traitors, and, reasoning from the example thus presented to his notice, dwelt with powerful effect on the apprehensions which he entertained from the operation of the penal laws. His religion, he said, could not long remain a secret. It was hard to forsake his home, to close his heart against all the inducements, by which “country, and friends, and wife, and kinsfolks did invite him to stay; to forget his friends, to leave his living, to lose the hope of all worldly pleasures, and earthly commodities,” yet even this sacrifice was his only alternative, “if either he would not consent to the certain destruction of his body or the manifest endangering of his soul;” and if, therefore, to escape these greater evils, he willingly divorced himself from all the ties which bound him to his native land, he trusted that Elizabeth would, at least, give him credit for having acted on conscientious motives, and would not visit his conduct with that displeasure, which would add bitterness even to the worst of his sorrows, and, amongst all

his misfortunes, prove the heaviest.^a This letter he placed in the hands of his sister, the Lady Margaret Sackville, to be delivered to Elizabeth after his departure, and hastening into Sussex, with two solitary attendants, he prepared to join the vessel, already waiting for him at Little Hampton. But Walsingham was in possession of his secret. Before his arrival at the coast, the captain had received instructions from the council; and, though ships were sailing from all the neighbouring ports, several days elapsed before the wind—so he pretended—would allow him to leave the harbour. At length, however, he announced his intention of departing, and Arundel, with his two domestics, hastily embarked. It was late in the evening, about the middle of the month of April, 1585. A favourable breeze speedily enabled them to clear the mouth of the river; and, in less than an hour, they were making steadily towards the opposite coast. The Earl's fate now appeared to have triumphed over the machinations of his enemies: he even began to console himself with the thought, that the destiny, which had hitherto pursued him, was left far behind. But danger and treason were much nearer than he imagined. As night advanced, the captain hung out a light from the mast head: the signal was understood by those employed to

^a The letter is printed at length in Stow, 702—706. Strype's copy (*Annals*, III. 313.) is imperfect. It was never delivered, but, shortly after the Earl's apprehension, it was published among the catholics by one Bridges, better known by the name of Greatly, and thus got into circulation. *MS. Life*, ch. 9. p. 38. See more of Greatly in the following note.

watch, and, shortly after, they were boarded by a ship of war, commanded by a pretended pirate, named Kelloway. Arundel was now seized, and conveyed back to the shore. From Kelloway he was delivered into the custody of Sir George Carey, the son of Lord Hunsdon, who conducted him to London, and, on the following day, April 25, he was committed, by order of the privy-council, to the tower.^a

^a MS. Life, ch. 8. p. 30—33. Kelloway, who probably “pretended himself to be a pirate,” that he might the more easily ascertain Arundel’s identity, “offered to let the Earl and his two gentlemen pass free, for one hundred pounds in money, swearing he should presently, without any further stop or stay from him, pass safely into France, if he would but write a word or two to any friend of his, of whom he might receive it. Whereupon the Earl, little suspecting any latent fraud, wrote, in few lines, to his sister, the Lady Margaret Sackvil, that she should speak to Mr. Bridges, alias Grately, a priest, to give one hundred pound to y^e bearer thereof, by the token that was betwixt them, *that black is white*; and withall assured her, that now he hoped assuredly to have speedy passage without impediment. Keloway, as soon as he got this letter of the Earl, read it, and, immediately after, discovered himself, that he was appointed by the council to watch there for him, and carry him back again to land,—as he did forthwith,” (Ib.). Does not this passage point out the individual, by whose means the council obtained information of Arundel’s intended escape? Grately, or Greatley, who is here referred to, evidently as the friend and confidant of the fugitive, is known to have been a spy in the employment of Walsingham. He had studied in one or more of the English seminaries abroad; had taken orders in the catholic church; and, making use of this disguise, to insinuate himself into the confidence of the recusants at home, was introduced to the secretary as a serviceable agent, and engaged by him to collect intelligence for the government, (Lingard, V. 437.). There can be little doubt that he was the traitor, to whom the Earl was indebted for his capture.

The first act of the government was to appoint commissioners to investigate his conduct, and two several examinations of the prisoner immediately followed. To one of the charges he was enabled to reply with an instant and triumphant refutation. A letter, addressed to his steward, William Dyx, and purporting to have come from the Earl, was produced. It was said to have been intercepted by Walsingham, "a heavy friend of his," and was written in a hand bearing a strong resemblance to his own. But he was allowed to read only the first two lines—"Sir, this letter containeth such matter as is fitter for the fire to consume, than to be laid up in your study:"—in the body of it, as he found from the interrogatories which followed, he was made to say, that, "though he went away poorly, he should return in glory," and should land in Norfolk, at the head of a powerful army, "to trouble both the queen and the state." He denied that he had ever conceived such an idea, and pronounced the letter a forgery. In proof of his assertion, he appealed to the mysterious, not to say questionable, manner of its discovery. Where had it been intercepted? How had the secretary obtained possession of it? It had been produced—opportunistically enough—at the very moment of his embarkation. This might prove that it had been forged, in preparation for that event, by those who were acquainted with his intentions; it might shew that the secretary had surrounded him with his spies, and had endeavoured to track him to his destruction; but it could never convict him of being the author of such a document, any more than it could satisfy the world that he was as ignorant of his private and domestic affairs, as some other

parts of the letter represented him. Walsingham was evidently unprepared for such a defence. To the enquiries, concerning the mode in which the letter had come into his hands, no satisfactory answer was returned, and the council, therefore, almost unanimously, ordered it to be withdrawn.^a In the other parts of his examination, his replies, if not equally triumphant, were, at least, equally indicative of his innocence. His accusers were disappointed; and more than twelve months elapsed before they ventured to renew the proceedings. At length, on the seventeenth of May, 1586, he was summoned to plead to an indictment in the star-chamber. It was alleged that he had been reconciled to the church of Rome, that he had corresponded with cardinal Allen, the declared enemy of the queen, and that he had endeavoured to leave the realm, without having previously obtained the royal license. He replied, that, if, by being "reconciled to the church of Rome," were understood, that he had embraced her religious doctrines, and participated in her sacraments, he must plead guilty: but that, if the term were intended to convey an insinuation of any thing beyond the spiritual submission of his belief and practice to that religious authority, then he must indignantly repel the charge, as unfounded and malicious.^b That he had written to Allen he acknow-

1586.

^a MS. Life, ch. 9. p. 36, 37.

^b By the statute of the 22nd of Elizabeth, it was enacted, that "whosoever was reconciled to the pope *from the obedience of the queen's majesty* was in case of treason. My Lord confessed that Bridges "did confess him, but not reconcile him *in any such sort*, but only for "*absolution of his sins*," (Hargrave, State Trials, I. 166). This was his answer to the same charge on a subsequent occasion, and fully

ledged ; but his letter, he maintained, referred to matters of conscience, not of policy ; and as to the contempt of which he was accused, in leaving the kingdom without license, he declared that he had been driven to that proceeding by necessity ; that it could never have been his intention willingly to offend the queen, against whom not even the rewards of a world should tempt him to engage in any action ; and that, in flying from his country, his only object had been to secure those interests, which he had candidly stated in his letter to her majesty. This defence is said to have been favourably received ; but, from the severity of the sentence pronounced on him, it may, perhaps, be questioned whether it was effective in mitigating the award of punishment. He was condemned to pay a fine of £10,000. to the queen, and to be imprisoned during the royal pleasure.^a

Arundel was now led back to his confinement, convinced, probably, that, as its continuance was made to depend on the “ pleasure ” of Elizabeth, but slight hopes could be cherished of its speedy termination. Its severity, however, was gradually relaxed. Though he was still obliged to content himself with the same noisome and unwholesome apartment, to which he had been hitherto restricted, yet he was now allowed the

explains the words of the MS. Life in this passage,—“ As for his “ being reconciled, he acknowledged that he had confessed his sins to “ a priest, & had been absolved by him from them, but that *in any other* “ *manner* he was not reconciled.” Ch. 9. p. 38.

^a MS. Life, ch. 9. p. 35—39. Stow, 719. In the Appendix, No. V. will be found an account of his possessions at this time, as well as of the debts with which his property was charged.

attendance of two of his own servants;^a he was permitted to walk occasionally in the gallery, or in the garden; and a bribe of thirty pounds, from the countess to the lieutenant's daughter, procured him access to the cell of a neighbouring prisoner, a priest named William Bennet. Here he sometimes met two other catholics, Sir Thomas Gerard, and William Shelley; and, as he was, shortly after, enabled to furnish Bennet with the means of saying mass, the prisoners were, in consequence, brought more frequently together, and the acquaintance, thus accidentally formed, soon ripened into an intimacy. Of course, their religion, with the prospects and the sufferings of the catholics, formed the usual topic of conversation. As the period of the Spanish invasion approached, the speculations of men became more busy; a thousand tales were invented, to alarm the timid, or stimulate the doubtful; and these, conveyed through various channels to the prisoners, became, in turn, the subjects of eager and anxious discussion, when they met. In

^a These servants, however, were treated as prisoners, from the moment of their admission within the tower. They were not permitted to move without a keeper, or to speak to any one but in the presence of a third person. Both night and day, they were locked up with their master, in a room, which had "no light of the sun during the greater part of the year," and was insufferable from "the noisomeness thereof, caused by a vault that was near or under it, which, at some times, did smell so ill, that the keeper could scarce endure to enter into it, much less to stay there any time." They were unable to leave the service without special license from the council: "and some of them were kept there, untill, through weakness and indisposition, caused by being kept so close, they were not able to do him almost any service." MS. Life, ch. 10. p. 40.

addition to other stories, which had obtained extensive circulation among the alarmed professors of the proscribed faith, was a rumour, that, on the landing of the Spaniards, a general massacre of the catholics would take place.^a Arundel had heard this report, and mentioning it, on the first opportunity, to his fellow captives, requested Bennet to say mass, and suggested to the others the propriety of addressing heaven in a common form of prayer, to be continued incessantly through a space of twenty-four hours, that the Almighty would be pleased either to avert the threatened calamity, or prepare them to meet it with becoming dispositions. The idea was instantly adopted, and the Earl applied to others of his friends, to unite with him in his pious undertaking: but one of these, perceiving the misconstruction, to which such a proceeding was liable in the eyes of a suspicious government, represented to him the danger which he might thereby incur, and the project was, in consequence, abandoned. The advice, however, and its adoption were alike too late. By some unexplained means, the design had been communicated to

^a “ And in respect there went then a rumor very currant amongst
 “ *ye catholicks about London*, that a suddain massacre of them all was
 “ intended, upon the first landing of the Spaniards, and this comeing
 “ to the Earl’s ear, out of his piety he judged it necessary that all
 “ catholicks should forthwith apply themselves to prayer, either for
 “ the avoiding that danger, or for the better preparing themselves
 “ thereto.” MS. Life, ch. 12, p. 48. It is evident that Dr. Lingard
 has mistaken this passage, where, insinuating that the story had been
 originated by “ some greater personage who sought the ruin of the
 noble captive,” he represents it to have been conveyed as a “ hint” to
 the Earl, and signifies that it related merely to a massacre of “ the
 catholic prisoners in the tower.” Hist. Eng. V. 509.

the ministers; and as soon, therefore, as the alarm created by the "Armada" had passed away, measures were taken for fixing the guilt of treason on the Earl. Shelley, Gerard, and Bennet were separately examined. From their answers, nothing was at first obtained to satisfy the expectations of the court: but a seasonable admixture of threats and promises proved more successful, and they at length declared, the two former, that he had engaged them in prayer for the success of the Spaniards; the latter, that he had requested him to say a mass of the Holy Ghost for the same object. This was sufficient. Burleigh, Hatton, and Sir Thomas Henneage, were immediately despatched by the council to the tower, for the purpose of interrogating the accused: these were subsequently joined by Lord Hunsdon, the queen's chamberlain, who had been specially deputed by Elizabeth, and, in the midst of the enquiry that followed, Gerard and Bennet, as if to practise them in the part which they were afterwards to perform in public, were introduced, and desired to state the substance of their accusation. The moment they had finished speaking, they were withdrawn, and Arundel, who had not been allowed to question them, refused, by replying in their absence, to put his enemies in possession of his defence. But Burleigh was unwilling to close the examination, and, abruptly turning to the Earl, demanded—"do you hold that man for a traitor, who shall say that the pope has any authority to deprive the queen?" Arundel replied, "I never heard any say so, and, when I do, your lordship shall heare what I will say." "Answer," cried Burleigh and Hunsdon, "yes or no." "Indeed," exclaimed the Earl, "I

wonder I should be asked such questions, seeing I am accused of no such matter, and both have been, and am, at all times, ready to serve the queen with my life and goods, against any prince or potentate whatsoever." "What," inquired Hunsdon, "against the pope?" "And is not the pope," returned the Earl, "included within the name of a foreign prince or potentate?" He was then required to certify, in writing, his refusal to answer the question; but he denied that he had refused, and declined furnishing such a document: whilst Hunsdon, enraged at the calmness of his demeanour, called him "a beast and a traitor," and told him that, rather than suffer him to escape the hanging which he deserved, he himself would gladly perform the office of executioner. "The sooner the better, if it please God," mildly rejoined Arundel: "and therewith they all rose, left him, and went their way."^a

1589. Preparations were now made for the trial of the prisoner. A commission was issued to the Earl of Derby, appointing him lord high steward for the occasion, and, on the fourteenth of April, 1589, Arundel

^a MS. Life, ch. 12, 13, p. 47—52. By the catholics the question, here put by Burleigh to the Earl, "was considered," says Lingard, "as the forerunner of death: because it was devised to cast a doubt on the sincerity of those who denied the deposing power; and there were many who, while they denied that power themselves, yet hesitated to declare those traitors who maintained it." Hist. Eng. V. 510, note. Arundel's feelings on the subject are thus expressed by him, in a letter to a friend. "I know I might safely have answered affirmatively to y^t question; yet, because I saw them determined to take my life, as I then thought, and knew not how they would misreport my words, for fear of giving scandal, I would not answer directly." MS. Life, ch. 13. p. 52.

was brought from the Tower to Westminster Hall, and required to plead, before that nobleman and twenty-three other peers, to an indictment of treason. As he entered the hall, every eye was turned to survey him. The tall and comely figure, which still bespoke the strength and elasticity of youth, contrasted strongly with the sunken eye and sallow countenance, whereon sorrow seemed so deeply to have impressed her image. He was richly, but becomingly, attired, "in a wrought velvet gown, furred with martins, laid about with gold lace, and buttoned with gold buttons; a black sattin doublet, a pair of velvet hose, and a high black hat on his head." As he approached the bar, "he made two obeysances to the state, and to the nobles, and to the others present," and holding up his hand, in a manner that marked the dignity of innocence, he exclaimed, "here is as true a man's heart and hand, as ever came into this hall."^a The indictment was now read. Though it comprised numerous articles of accusation, its substance was properly reducible to two separate heads; the one embracing the very same actions for which he had already been sentenced in the star-chamber; the other charging him with having offered up a variety of prayers for the success of the Spanish expedition. Of his guilt in the former the evidence, since its last appearance, had been improved, to suit the altered nature

^a "The whole discourse of the arraignment of Philippe, Earl of Arundel." MS. at Norfolk House. Among the peers appointed to act as judges on this trial, we find the names both of Burleigh and Hunsdon, who, as the reader will recollect, were not only his declared enemies, but had been specially employed in taking the previous depositions for the crown. See the list in Camden, Lib. IV. ad an. 1589; and in Hargrave's State Trials, I. 164.

of the proceedings ; and was now detailed with a minuteness, that served to expose alike the groundlessness of the accusation, and the unwearied malice of his accusers. His correspondence with Allen, it was alleged, must have been of a treasonable nature, not because its relation to any criminal object was established, but because certain obnoxious individuals had chosen to associate his name with their own hostile or disloyal speculations. Throckmorton, it was asserted, had not only placed him, in one of his catalogues, at the head of the principal catholics in England, but, in the other, had actually marked Arundel among the chief ports, to which, according to the direction of the wind, an invading fleet might securely point its course. Mott, a clergyman in the interest of the Duke of Guise, was said to have repaired to England, for the express purpose of “ sounding his intents ;” the queen of Scots was represented, on the authority of Babington, to have described him as the fittest person “ to be a chief head for the catholics ;” and Allen himself, who, in one of his letters, had declared that the bull of Sixtus V., pronouncing the excommunication and deposition of the queen, was issued “ at the intercession of a great man in England,” could not, so it was argued, by such an expression, have alluded to any individual but him, whom he had previously addressed by the title of “ Duke of Norfolk.” “ My Lord,” said Popham, the attorney-general, “ is one of the principallest, and acquainted thus far with Allen : ergo, my Lord of Arundel is that great man.” To these ridiculous arguments of his guilt, another proof of an equally questionable nature was appended. In one of his trunks an emblematical toy

had been discovered. On one side, it bore the representation of a hand shaking a serpent into the fire, with the motto, "Si Deus nobiscum, quis contra nos?" on the other, it was ornamented with a lion rampant, but without claws, and the inscription, "Et tamen leo." From this, it was seriously contended that he meditated some dangerous design against the government. He had placed himself, it was said, under the influence of Allen; he had privately attempted to leave the kingdom; in his letter to the queen, he had arraigned the justice of the sentence which had consigned his father, and his grandfather, to the scaffold: could it then be doubted that the emblem in question had reference to all and each of these proceedings? His constant object had been to verify its concealed allusion. The ravages of the lion had only been prevented by his timely capture; and it was evident, therefore, that "my Lord must needs be culpable of all the treasons which Allen had practised and procured." The Earl's reply to this part of the indictment was brief, but conclusive. The fact of his correspondence with Allen, he said, had already been acknowledged: its nature and tendency were the only subjects of enquiry. Had it been proved to bear a treasonable character? Had his letters been produced in evidence against him? Or had he been shewn to have engaged in any one of the criminal plots which had lately agitated the country? He had heard, indeed, from his prosecutors, of the use to which others had applied his name: the court had been told of the designs of Throckmorton, of Mott, of Allen, and of the Scottish queen: but he had not been shewn even to have been aware of the intentions, much less to have

embarked in the enterprises, of those persons: and he had yet to learn, by what means he could control the tongues or pens of others; or upon what ground of justice he was to be made answerable for their unauthorized speculations. With regard to the painting, which had been produced, and which, in fact, had been presented to him as a new-year's gift, his first difficulty was, to comprehend how any thing criminal could have been discovered in it; his next, to imagine by what means it could have been connected with the present proceedings. He should have thought that such a toy would have been too innocent, or too trifling, to engage the attention of his prosecutors: but, he added, there are those, "who, like the spider, can suck venom out of the sweetest flowers, and find materials for poison, where others would obtain matter only of a wholesome or harmless description."

The court now proceeded to the second part of the indictment. It related to the prayers alleged to have been said for the success of the Armada: and the reader will remember, that it was founded upon the depositions of the three prisoners, Shelley, Gerard, and Bennet. Of these, Gerard and Bennet were alone produced upon the trial. As soon as the first appeared, the prisoner, turning to the place where he stood, called on him, in the name of the living God, in whose presence he was, to remember the terrors of the great accounting day, and to suffer neither hope nor fear to betray him into the utterance of a falsehood. This solemn and unexpected adjuration shook the courage of the accuser. He trembled, "spake little to the purpose," and, muttering a reference to his former depo-

sitions, was hastily withdrawn. Bennet was then called. After the close of his former examination, this man, whose conscience appears to have become clamorous in the solitude of his prison, had written a letter to the Earl, in which he frankly acknowledged the falsehood of whatever charges he had uttered against him, declared that his pretended confession before the commissioners had been obtained by “many fair promises and allurements, together with many thundering threats of returning to the tower, torments, and death itself, if he failed,” and concluded by offering to sacrifice “both life and limbs, in averring his accusation to be, as it was indeed, most unjust.” This letter he had intrusted to a fellow prisoner, who, having enclosed it in another addressed to the countess, contrived to forward it to that lady, to be used when her husband should “come in question.”^a When Bennet, therefore, appeared upon the trial, this document was produced : but that person’s conscience had undergone another revolution ; and he now boldly asserted, that the letter, which he himself, he said, had been solicited, but had refused, to write, had been addressed to the Earl, by Randal, a fellow prisoner, and transmitted without either his signature or consent. To substantiate this avèrment, it might have been expected that Randal would be brought forward : but this, in the opinion of the crown lawyers, was too dangerous an experiment to be trusted ; and Arundel, therefore, was left, as his only alternative, to denounce the infamous character of the witnesses ; to point out the grossness of their prevarications ; and to protest, in the sight of heaven, that the prayers, which he had

^a Both the letters will be found in the Appendix, No. VI.

offered, bore no reference to the invasion of the Spaniards, but were conceived only with a view to avert the massacre, which he believed to have been meditated. The peers now withdrew to consider their verdict. After an hour's debate, they returned to the hall, and each, being questioned in succession, declared the prisoner guilty. He heard the award without emotion: at the conclusion of the sentence which was pronounced, he cheerfully responded, "God's will be done!" and requesting only, as a last favour, that his debts might be paid, and that, before his death, he might be permitted to see his wife, and the son who had been born to him since his imprisonment, he was conducted back to the tower.^a

The result of this trial offered a subject of melancholy reflexion to every liberal and unprejudiced member of the community. By those who had heard the accusation, who had attended to the proofs by which it had been supported, and had listened to the defence by which the prisoner had rebutted the charges of his enemies, a verdict of acquittal had been confidently anticipated.^b But, in the state prosecutions of those days, the interests of justice were not always deemed of paramount importance, either by the accusers or the judges. A point of interest or policy, an enmity to be gratified, or a smile of royalty to be courted, these were but too often suffered to become the sole arbiters of life and

^a MS. Life, ch. 14. p. 53—56. State Trials, I. 165—167. Camden, Lib. IV. ad an. 1589.

^b "To all which (charges) he answer'd so resolute and readily that "most there present were of opinion he would have been acquitted." MS. Life, ch. 14. p. 56.

death; and it not unfrequently happened, that, as in the present instance, the real innocence of the accused was the very last consideration to engage the attention of his judges. That Arundel had either committed, or contemplated, any treasonable act it is impossible to believe. Though encouraged with assurances of success, in an appeal to the royal clemency, he not only refused to seek a pardon which must involve an acknowledgment of guilt, but, on the very morning after his condemnation, addressed a spirited letter to Elizabeth, in which he boldly asserted his innocence, and arraigned the justice of his sentence.^a In his private correspondence, in his confidential letters to his wife and his confessor, the same protestation invariably occurs: on the scaffold he had determined to repeat it; and, lest he should be prevented from addressing the spectators, had prepared numerous copies of a statement, to be scattered among the crowd, wherein this emphatic declaration occurs:—"Wherefore, for the satisfaction of
"all men, and discharge of my conscience before God,
"I here protest before his Divine Majesty, and all the
"holy court of heaven, that I have committed no
"treason, and that the catholic and Roman faith,
"which I hold, is the only cause (as far as I can any
"way imagine) why either I have been thus long im-
"prisoned, or for which I am now ready to be exe-
"cuted."^b The very apologists and admirers of the

^a This letter he sent to his friend Hatton, the lord chancellor, to be transmitted to the queen, but it was never delivered, "by reason the chancellor was of opinion it would rather incense her against him." MS. Life, ch. 15. p. 58.

^b MS. Life, ch. 15. p. 59. Of his intention thus to address the

court, in fact, never ventured, after his trial, to assert his guilt. Unable to discover the justice, they were contented to confine their panegyric to the wisdom, of his condemnation; whilst the sympathies that wept, and the indignation that rose, over his untimely and unmerited destiny, compelled even Elizabeth to pause, and made her tremble to sign the warrant for his death.^a From Hunsdon, his declared enemy, she first learned his resolution to maintain his innocence in public. That nobleman, though the reader has seen the ferocity with which he anticipated the destruction of his victim, was still too sensible of the feeling that pervaded the country, and too conscious of his own share in procuring the sentence of condemnation, to suffer it, under such circumstances, unopposedly to take effect. Hastening, therefore, to the queen, he represented to her the

spectators, at the time of his execution, he made no secret; and it was, more than once, the subject of conversation between himself and his keeper. On one occasion, having re-asserted his resolution, the keeper enquired—"But, if some ask you then of particulars, whether you had required a mass to be said for the good success of the Spaniards, &c. what will you say?" "Marry," replied Arundel, "deny it, as I did in my examination and arraignment." "But," rejoined the other, "I thought a man, at that time, would speak as afore God." "A man," said the Earl in return, "who fears God, will do the same in any place, and since I deny'd in a place of open justice, you have no cause to doubt that I will deny it at my death, and that I did it not." Ibid. p. 60, 61. "Assure yourself," he says, in a letter to Southwell, his confessor, "I will never, to save my life, accuse myself unjustly, or bely myself; and so I have told my keeper more than once." Ibid. ch. 22. p. 87.

^a Hunc nobilitatis florem immature defloruisse alii doluerunt, alii reginæ prudentiam prædicârunt, quòd hoc exemplo pontificiis potentioribus terrorem incusserat. Hearne's Camd. III. 600.

danger which might arise from the execution of the Earl, dwelt on the confirmation which his dying asseverations would impart to the opinion already existing of his innocence, and concluded by advising her to save herself and her government from the fearful odium of bringing him to the scaffold. This counsel was supported by Burleigh, who now, perhaps, cared little about the nature of the prisoner's fate, and by Hatton, who was really solicitous to save his life; and Elizabeth, though, probably, vexed at the necessity which threatened to deprive her of her victim, was yet sufficiently convinced by the arguments that supported it, and consented, though reluctantly, to spare him. But it was only to pursue her malice in a more frightful and more lingering form. Instead of acquainting the prisoner with the resolution adopted in his favour, the knowledge of it was studiously concealed from him, during the remainder of his life. For more than six years, the sword was kept continually suspended over his head. Not a bell that sounded, but it might be his knell; not a footstep was heard, but it might be the messenger of death. Each morning, as he rose, he knew not but that, before night, he might be a headless corpse; each night, as he lay his head upon his pillow, he was uncertain whether the morning might not summon him to another world!—Such was what a court writer could denominate “the mild severity” of Elizabeth!^a

Nor was it only by the horrors of this dreadful uncertainty, that the last mournful years of the Earl

^a MS. Life, ch. 15. p. 61. “Mitem reginæ severitatem expertus.”
Camd. Lib. IV. ad an. 1595. The following extract from a MS. in

of Arundel were to be darkened and disturbed: the total exclusion of wife, and children, and friends, the harshness of his keepers, and the inhuman treatment which he received from the lieutenant, Sir Michael Blount, these also were a portion of his sufferings, adding sorrow even to the sorrows of the dungeon, and making desolation itself more than doubly desolate. Of the conduct of Blount he thus expresses himself in one of his letters, written about a twelvemonth before his

the Lansdowne Collection will give a further notion of Elizabeth's solicitude for the comfort of her prisoner.

“ Money remayning unpaid to Phil. Howard, late Earle of
 “ Arundell, prison in the tower, deceased, of her maties pencōn
 “ assigned unto him by the R.^t Hon.^{ble} the Lo. Treasur^r of
 “ Englande.

“ Imprimis, for the diett of the said late Earle *not paied* from
 “ Saterdaie, the xxviith of September, 1595, until Sondaie, the xixth
 “ of October followinge, in w^{ch} day the said late Earle died, beinge
 “ three weekes and one daie at viii^{li}. the weeke,—£ 24.

“ Whereof due to the lieutenant of the tower, for three weekes
 “ diett, xviii^{li}. after the rate of vi^{li}. the weeke, according to their
 “ agreem^t, and so resteth vi^{li}. w^{ch} the said late Earle hath given
 “ unto Thomas Rookewood, Gent. for his great paines, attending
 “ upon him by the space of three yeeres, as appeareth by a bill sub-
 “ scribed with the hand of the said late Earle.

“ Also his pencōn for his apparel, phisicke, and other his neces-
 “ saries, for one quarter, ended in the feast of St. Michell tharchangell,
 “ 1595, after the rate of c^{li}. by the yeere,—£ 25, which is also
 “ given to the said Thomas Rookewood, by the said late Earle, as
 “ appeareth by the said bill.

“ Also for wages and liveries for three servants attendinge uppon
 “ the said late Earle, for one half yere, ended in the feast of St. Mi-
 “ chell tharchangell, 1595,—£ 5.

Sum^r. Tot. £ 54.”

MS. Lansd. lxxix. 74.

death. “ His injuries to me, both by himself and his
 “ trusty Roger, are intollerable, infinite, dayly multi-
 “ ply’d, and, to those who know them not, incredible :
 “ and the most that you can imagin will be far inferior,
 “ I think, to the truth, when you shall hear it.”^a It
 seems, indeed, to have made an impression on his
 feelings, deeper, if possible, than all his other afflictions ;
 and the reader will have occasion to observe the affecting
 manner, in which he afterwards returns to it, even in
 the agony of his last hours. But, though he mentioned
 these things, in his moments of undisguised confidence,
 he neither murmured nor repined at the severity of the
 dispensation, with which it had pleased heaven to visit
 him. He felt that his only business was to prepare for
 another world. He knew that the concerns and the
 sufferings of the present, were to be weighed only in
 reference to the future, state of existence, into which
 he was about to enter ; and, in the exercises of prayer
 and mortification, in the constant submission of his will,
 and a cheerful resignation to his sufferings, he sought
 to perfect himself for that “ last combat,” of which he
 was in hourly expectation. He thus addresses a friend
 on this interesting subject. “ I assure you, I prepare
 “ myself as much as my weakness and frailty will per-
 “ mitt, and I had rather perform more, than come short

^a MS. Life, ch. 10. p. 41. In an official report of the prisoners
 detained in the tower, in 1590, the following entry occurs. “ Phillipp,
 “ late Earle of Arundell, is a close prison^r, and hathe noe other libertie
 “ than he had in S^r Owen Hopton’s tyme, w^{ch} is, to walke in the
 “ quene’s gardeine twoe houres in the daie, wth a servant of the lieuten’ts
 “ to attende him, the gardeine doore beinge shoutt at the tyme of his
 “ walkinge.” Bayley’s Hist. of the Tower, II. Append. lxxxiii.

“ of that I promise, especially wherein my frailty, and
 “ unworthiness, and infinit sins, may justly make me
 “ doubt of the performance. But I know God’s mercy
 “ is above all, and I am sure he will never suffer me to
 “ be tempted above my strength; and upon this I build
 “ with all assurance and comfort.”^a In another letter,
 written to his countess previous to his trial, but referring,
 by anticipation, to the same subject, he is not less beau-
 tiful. “ I beseech you,” he says, “ for the love of
 “ God, to comfort yourself, whatsoever shall happen,
 “ and to be best pleased with that, which shall please
 “ God best, and be his will to send. For mine own
 “ part, I find, by more arguments than those I under-
 “ stand from you, that there is some intent (as they
 “ thinke who work it) to do me no good, but indeed to
 “ do me the most good of all. But I am, I thank God,
 “ and doubt not but I shall be, by his grace, ready to
 “ endure the worst which flesh and blood can do against
 “ me.”^b

^a MS. Life, ch. 23. p. 91.

^b MS. Life, ch. 23. p. 90. The following sentence was inscribed
 by himself on the wall of his prison-room, “ the which he used often
 “ to shew to his servants, as well to animate himself to suffer all his
 “ afflictions, with patience and alacrity, as to incite them also to do
 “ the same.”

“ Quanto plus afflictionis pro Christo in hoc
 “ sæculo, tanto plus gloriæ cum Christo in
 “ futuro. Arundell. June 22,
 1587.”

Ibid. ch. 16. p. 65.

A fac-simile of this Inscription, which is still legible over the fire-
 place of what is now used as the mess room in the Beauchamp Tower,
 is in the Archæol. XIII. 70. and in Bayley’s History of the Tower,
 I. 139.

But the period of his sufferings was now drawing to a close. Among the persons, formerly attached to his family, was a discarded servant, named Nicholas Rainberd. This man, possessing some acquaintance with the Earl's affairs, had been deemed a fit instrument by Elizabeth to harrass his former master, and had been employed by her to give information in various exchequer proceedings, which she had instituted against certain parts of the Earl's possessions. The zeal, however, seems to have overstepped the discretion, of the informer: he was defeated in most of the actions which were tried; and in the anger and disappointment, which this circumstance produced, the subsequent catastrophe has been suspected to have had its origin. He had contracted an intimacy with one of the domestics in the tower,—the cook, employed by the lieutenant to prepare the meals of the prisoners. To this man he communicated his feelings, and having, as it is thought, detailed the scheme of revenge which he had formed, concluded by requesting his assistance in carrying it into effect. The reluctance of the cook was easily overcome; a plan for disposing of the Earl is said to have been arranged between them; and though Arundel, suspicious of the new connexion, or roused by some peculiarity in the manner of the man, petitioned earnestly for the services of another cook, yet his solicitations were disregarded by the lieutenant, and the designs of the confederates were suffered to ripen into execution.^a It was the month of August,

^a “ And two things there were, which much encreased this suspicion: the one, that, tho' the Earl had used much endeavour to have

1595. 1595. The Earl had risen at his usual hour of five o'clock, had breakfasted, and was in perfect health. It was one of the few days in the week, on which he allowed himself the use of flesh meat. At dinner, a roasted teal was served up, but he had scarcely eaten of it, when he was seized with a violent retching. This was succeeded by a dysentery, accompanied with symptoms of poison, which soon threatened to baffle the skill of his physicians, and though the strength of his constitution enabled him to resist it for a time, yet his forces rapidly wasted under the violence of the attack, and, at the end of a few weeks, the complaint was pronounced incurable. It was at this moment that he determined to make a last appeal to the feelings of Elizabeth. She had promised, so he had heard from his friends, that, before his death, his wife and children should be admitted to see him. With this thought he had solaced his dreariest hours: to it he had turned for comfort in his moments of anguish and desolation; and now that the period had arrived, when he thought it was to be realized, he hastened to address a dutiful letter to the queen, stating the hopelessness of his situation, and claiming the performance of her engagement. The letter was placed in the hands of the lieutenant, and by him conveyed instantly to Elizabeth: while Arundel sat in fond, but anxious, anticipation of the last sad interview, which now, he thought, after so many years of separation and of sorrow, was about to take place the said cook removed, yet could by no means obtain it; the other, that the said cook came to the Earl, a little before his death, and asked him forgiveness, tho' not specifying that thing in particular." MS. Life, ch. 17. p. 66.

between himself, and all that he held dear on earth. At length, the lieutenant returned with a verbal answer. Elizabeth had rejected his prayer, except at the price of his religion: but, added the tyrant, “if he will but once go to the church, his request shall not only be granted, but he shall moreover be restored to his honour and estates, with as much favour as I can shew.” Arundel bowed beneath the unexpected stroke: but his resolution failed not. “On such condition I cannot accept her majesty’s offers,” was his reply, “and, if that be the cause in which I am to perish, sorry am I that I have but one life to lose.”^a

The progress of the disease had now confined him entirely to his bed, and the numerous devotions, to which he had long accustomed himself, were at length superseded by the less fatiguing recital of his beads, and some few other prayers, which he was unwilling to relinquish. The last scene of this affecting tragedy is thus beautifully described by his biographer. “His
“physitians comeing to visit him some few dayes before
“his departure, he desired them not to trouble them-
“selves now any more, his case being beyond their skill,
“and he haveing then some business, meaning his de-
“votions, which he desired, but fear’d he should not
“have time sufficient, to despatch. And they there-
“upon departing, Sir Michel Blount, then lieutenant of
“y^e tower, who had been ever very hard and harsh
“unto him, took occasion to come and visit him, and,
“kneeling down by his bed-side, in humble manner de-
“sired his lordship to forgive him. Whereto the Earl
“answered in this manner. ‘Do you ask forgiveness,

^a MS. Life, ch. 17. p. 66, 67.

“ Mr. Lieutenant? Why then, I forgive you in the
“ same sort as I desire myself to be forgiven at the
“ hands of God.’ And then, kissing his hand, offered
“ it, in most charitable and kind manner, to him, and,
“ holding him fast by the hand, said,—‘ I pray you
“ also to forgive me whatever I have said or done in
“ any thing offensive to you;’ and he melting into
“ tears, and answering that he forgave him with all his
“ heart, the Earl raised himself a little upon his pillow,
“ and casting his eyes towards the lieutenant, made a
“ brief and grave speech unto him in this manner.
“ ‘ Mr. Lieutenant, you have shew’d both me and my
“ men very hard measure.’ ‘ Wherein, my Lord?’
“ quoth he. ‘ Nay,’ said the Earl, ‘ I will not make a
“ recapitulation of any thing, for it is all freely forgiven.
“ Only I am to say unto you a few words of my last
“ will, which, being observed, may, by the grace of
“ God, turn much to your benefit and reputation. I
“ speak not for myself, for God, of his goodness, has
“ taken order that I shall be delivered very shortly out
“ of your charge: only for others I speak, who may
“ be committed to this place. You must think, Mr.
“ Lieutenant, that, when a prisoner comes hither to this
“ tower, he bringeth sorrow with him. Oh, then, do
“ not add affliction to affliction: there is no man what-
“ soever that thinketh himself to stand surest, but may
“ fall. It is a very inhuman part to tread on him, whom
“ misfortune hath cast down. The man, that is void of
“ mercy, God hath in great detestation. Your com-
“ mission is only to keep with safety, not to kill with
“ severity. Remember, good Mr. Lieutenant, that
“ God, who, with his finger, turneth the unstable wheel

“ of this variable world, can, in the revolution of a
“ few dayes, bring you to be a prisoner also, and
“ to be kept in the same place where now you keep
“ others. There is no calamity that men are subject
“ unto, but you may also taste as well as any other
“ man. Farewell, Mr. Lieutenant: for the time of
“ my smal abode, come to me whenever you please,
“ and you shall be heartely wellcome as my friend.’
“ The lieutenant then humbly took his leave, and went
“ out of the chamber weeping.

“ The last night of his life he spent, for the most
“ part, in prayer, sometimes saying his beads, sometimes
“ such psalms and prayers as he knew by heart
“ Seeing his servants, in the morning, stand by his bed-
“ side, weeping in a mournfull manner, he ask’d them
“ what a clock it was: they answering that it was eight
“ or thereabout, ‘ why then,’ said he, ‘ I have almost
“ run out my course, and come to the end of this miser-
“ able and mortal life,’—desiring them not to weep for
“ him, since he did not doubt, by the grace of God, but
“ all would go well with him. Which being said, he
“ returned to his prayers upon his beads again, tho’
“ then with a very slow, hollow, and fainting voice, and
“ so continued, as long as he was able to draw so much
“ breath as was sufficient. The last minute of his last
“ hour being now come, lying on his back, with his eies
“ firmly fixt towards heaven, and his long lean con-
“ sumed armes out of the bed, his hands upon his
“ breast, laid in cross one upon the other, about twelve
“ a clock at noon, in which hour he was also born into
“ this world, arraign’d, condemn’d, and adjudg’d unto
“ death, upon Sunday, the 19th of October, 1595 (after

“ almost eleven years’ imprisonment in the tower), in a
 “ most sweet manner, without any sign of grief, or
 “ groan, only turning his head a little aside, as one fall-
 “ ing into a pleasing sleep, he surrender’d his happy
 “ soul into the hands of Almighty God, who to his so
 “ great glory had created it.

“ Some have thought, and, perhaps, not improbably,
 “ that he had some foreknowledg of the day of his
 “ death, because, about seven or eight dayes before,
 “ making certain notes in his calendar, what prayers
 “ and devotions he intended to say, upon every day of
 “ the week following,—on Munday, Tuesday, &c.—when
 “ he came to the Sunday, on which he dy’d, he there
 “ made a pause, saying, ‘ hitherto and no farther: this
 “ is enough;’ and so writ no more, as his servants, who
 “ then heard his words, and saw him write, have often
 “ testified.”^a

^a MS. Life, ch. 17. p. 68—71. Mr. Dallaway informs his readers that, “ in the Cotton MSS. Nero, B. ix. f. 75, there is a patent of the emperor Rodolph II. creating Philip, Earl of Arundel, a Count of the holy Roman Empire, dated at Prague, Dec. 14, 1594,” and acknowledged by Queen Elizabeth “ in a letter dated at Richmond, March 13, 1595,” (Rape of Arund. 165, note b. N. Ed.). Mr. Dallaway has been partly misled by trusting solely to the catalogue of the Cotton MSS., which describes the patent as addressed to “ Thomas”—not Philip—“ Earl of Arundel.” Had he, however, looked at the documents themselves, he would have discovered that the catalogue was wrong, in supposing the person, named by the emperor, to have been Earl of Arundel. That person was Thomas Arundell, of Wardour, who had been serving in the Hungarian war against the Turks, and who, as Elizabeth expressly says in her answer to Rodolph, possessed no title of dignity in England:—“ Etsi quidem claro, privato tamen loco natum, alioque honoris titulo (præter Comitem Imperii) haud insignitum.” He was afterwards created Baron Arundell, of Wardour (Pat.

Thus lived, thus suffered, and thus perished Philip Howard, Earl of Arundel, the idol of those who knew him, the admiration of Europe, and the object of the sympathies of the world.^a In his days of early revelry, he had shone, the brightest and the most honoured, among the competitors for the favours of his sovereign. At the gala and the dance, in the birthday pageant, and the royal pastimes, his presence had been the harbinger of joy; and embassies themselves were thought to have received additional respect, at the entertainment which he contributed to grace. But he had forsaken the profligacy of the court for the society of his wife, and had ventured to obey his conscience, in embracing the

3 Jac. 1. p. 12. and Camd. Eliz. ad an. 1596). The emperor's patent occurs at fol. 181. of the MS. cited by Mr. Dallaway, and is dated Dec. 14, 1595, two months after the death of Philip, Earl of Arundel: Elizabeth's letter succeeds it at fol. 184, and is dated March 13, in the following year.

^a The following is the sketch which a foreigner has left of him—
 “Excellentissimus Arondeliæ Comes, Philippus Hovardus, Norfol-
 “ciensis Ducis filius et heres mirum dictu et quanta amisit,
 “et quâ animi æquitate novercantis fortunæ fluctus sustinuit. In
 “carcere enim captivus catholicis omnibus non exemplo modo, sed
 “etiam singulari solatio fuit: nullus unquam de bonorum rapinâ
 “conquerentem, nullus de carceris incommodis, de negatâ libertate
 “dolentem audivit: imo conquerentes et dolentes alios ipse nunc
 “verbis erigere, nunc mirâ, quâ pollebat, comitate consolari solebat.
 “Illi præter Deum et cœlestium rerum contemplationem sapiebat
 “nihil: pecunias quas pro sustentatione Regina illi (nam juxta dig-
 “nitatis gradum plus minusve in Turri captivis assignatur) concessit,
 “tenui et parco ipse contentus cibo, inter pauperes distribuit. Alia
 “multa dixit, fecit, sustinuit illustrissimus Comes, quæ antiquorum
 “primitivæ ecclesiæ heroûm factum vel æquent vel superent, et dig-
 “nissima sunt quæ æternitati consecrentur.” Corn. a Lapide, Com-
 ment. in Epist. ad Hebræos. cap. 10. v. 34. Tom. XI. 927.

religion of his fathers. These were unpardonable offences in the eyes of such a sovereign as Elizabeth. In the enormity of such transgressions, his former merits were instantly forgotten. From that moment, her nature seemed to have undergone a sudden revolution in his regard: she proclaimed herself his enemy; and she continued, as the reader has observed, to pursue him through life with the most deadly and implacable resentment. Even his corpse was not sacred from the profanation of her revenge. For the first Earl in her dominions, for the nobleman who had been born to the inheritance of all but royalty, she appointed a funeral, whose charges amounted only to the sum of four pounds, thirteen shillings, and four pence; whilst, as if to shew the boldness of her impious passions, the most beautiful and most affecting service of religion was prostituted, by her minister, to the heartless purpose of heaping insults on the grave of her victim.^a He was buried, on

^a “ The particular charges of the buriall of Phil. Howard, late Earle
“ of Arundell, in the church of the tower of London.

“ Imprimis for a coffin - - - X s.

“ To the parson for breaking the ground in the
“ chancell where the bodie was buried, and for
“ his attendance there - - - XL s.

“ To the clerke for making the grave, wth his
“ attendance, and for paving the same again - XIII s. IIII d.

“ Ffor three yardes of black cloth to cover the
“ coffyn - - - XXX s.

Sum[~] - IIII l. XIII s. IIII d.

“ Mr. Lieutenant desireth to knowe yo^r Lordshippes (Burleigh's)
“ pleasure what shall be done with the said three yardes of black
“ cloth that covered the coffyn.—(In another hand)—This yo^r Lo.

the third day after his death, in the chapel of the tower, in the same grave in which, twenty-three years before,

“hath appoynted to the minister of the church.” MS. Lansd. lxxix. 74.

“A true report of the words w^{ch} were used at the buriall of Philip, late Earle of Arundell, Octob. 22, 1595.

“Mr. Lieutenant being asked if he had any direction of any service to be used at the buryall, and whether he dyed wth any relenting in his former courses (his religion), and unto both he answering “‘No,’ the minister begins thus :

“Wee are not come to honour this man’s religion ; we publickly “professe, and here openly protest otherwyse to be saved : nor to “honour his offence ; the lawe hath judged him, we leave him to the “Lord, he is gone to his place. Thus we fynd it trewe w^{ch} is written, “and is here sett downe in our booke : ‘Man that is born of woman,’ “&c. Thus God hath layd this man’s honour in the dust. Yet, as “it is sayd in the Scripture, ‘Go and bury yonder woman, she is a “king’s daughter,’ so we comitt his bodye to the earth, geving God “harty thanks that he hath delyvered us of so great a feare. And “therefore let us glorifye God wth the songe of Debora, a mother “raysted up in Israel.” [Here follow ten verses selected from the fifth chapter of Judges, beginning with the second—‘Praise ye the Lord for the avenging of Israel’—and concluding with the twenty-third and thirty-first—‘Curse ye Meroz, said the Angel of the Lord, curse ye bitterly the inhabitants thereof ; because they came not to the help of the Lord, to the help of the Lord against the mighty. So let all thine enemies perish, O Lord ; but let them that love thee be as the sun when he goeth forth in his might.’ To this succeeds the forty-ninth Psalm, and then this prayer.] “Oh ! Almighty God ! “who art the Judge of all the world, the Lord of lyfe and death, who “alone hast the keyes of the grave, who shuttest it, and no man “openeth it, who openest it, and none can shutt it, we geve the “hartye thanks for that it hath pleased the, in mercye to us, to take “this man out of the world : we leave hym to thy majestie, knowing “by thy worde that he and all other shall ryse agayne to geve account “of that w^{ch} hath bene done in the flesh, be it good or evill, against

the body of his father had been interred: but, in the following reign, a license for the removal of the remains was obtained, at the joint request of his widow and his son, and, in the year 1624, they were taken up, and conveyed to West Horsley, in Surrey, the seat of the countess. Here they were placed in a small iron coffin, or chest, and, being transported to Arundel, were deposited in the vault then constructed for the family of the Howards.^a The inscription, which was engraved on a brass plate affixed to the coffin, will be found in the account of the collegiate chapel.

The Earl of Arundel is described to have been "tall of stature, yet ever very straight, long visaged, but of a comely countenance." In the endowments of his mind, the liberality of nature was conspicuous. He was gifted with a memory singularly retentive, with a judgment sound and discriminating. His wit was lively, his conversation instructive, and his eloquence, on more solemn occasions, copious and imposing. Of his character the reader will readily have formed a tolerably correct estimate. Buoyant and unthinking, with a heart formed for enjoyment, he was introduced to a voluptuous court, to be caressed by his sovereign, to be flattered by his equals, and to be seduced by his more profligate companions, at the dangerous age of eighteen. That, under such circumstances, he should have yielded to the allurements of vice, that, dazzled by the fancied brilliancy of the prize, he should have endeavoured to "God or man." The whole concludes with an extravagant prayer for Elizabeth, that God will protect her from "the chylde of wickednes," from "all her privye enemies," and from "dissembling frends." MS. Lansd. xciv. 49. ^a MS. Life, ch. 18. p. 71, 72.

win the favour of his royal mistress, even at the expense of his virtue, is scarcely surprising: but when, at the end of little more than five years, we see him endeavouring to extricate himself from the snares that had surrounded him, when we behold him sacrificing interest, and fame, and pleasure, and gladly exchanging the smiles of the sovereign for the approving testimony of his own conscience, it is impossible to withhold from him the praise of superior resolution, or to deny that he possessed that integrity of heart, which alone could have enabled him to accomplish what few, perhaps, would have had courage to attempt. Of his character, as evinced during the remainder of his life, it is unnecessary to speak. It is traced in all the actions that filled up his brief, but suffering, career. It is written in the firmness, with which he adhered to his conscientious opinions: it is seen in the constancy, with which he submitted to the efforts of his persecutors: it is visible in the piety of his demeanour, in the cheerfulness that illuminated his sufferings, and, above all, in that calm of holiness and peace, which surrounded the bed of death, and ushered him into the confines of another world.

By his wife he had two children, Elizabeth, the elder, who attained the age of only fifteen, and Thomas, who was afterwards restored to the forfeited honours of the Earldom. The countess survived him nearly thirty-five years; but it was only to experience, during the remainder of Elizabeth's reign, all the rancour of that sovereign's hatred. She was constantly exposed to insult and persecution: she was unable to visit London, even for medical advice, without permission; and if, on such occasions, during the short interval of her sojourn

at Arundel House, the court chanced to remove into the neighbourhood, she was instantly ordered to quit her residence, lest her proximity should mar the royal pastimes. Nor was the malice of the tyrant satisfied with the infliction of these indignities. As soon as the Earl's condemnation was pronounced, his estates were confiscated to the crown: his houses, furniture, and other property, were seized for the benefit of the queen; and "nothing," says the countess's simple biographer, "was left her, but the beds whereon herself, children, and some few servants were to take their rest, and those only lent her for a time." The very pension, that was doled out to her for her subsistence, was never paid with punctuality, and seldom without entreaties: whilst for her own inheritance, which, on the death of her husband, should instantly have reverted to her, she was compelled, after a multiplicity of vexatious delays, to compound, by the sacrifice of nearly ten thousand pounds.^a The following letter, which is still preserved at Norfolk House,^b offers not only an affecting picture of her destitution, but also a striking testimony of the malignant avarice of her persecutor.

The Countess of Arundel to Lord Treasurer Burleigh.

"My very Good Lord,

"My case being so miserable that extremitye inforceth me to crave succour, I am bold to commend my necessity to your lordshipps favorable consideration, whom as I have ever found a most honorable frind, so I hope still to enioy the benefitt of your accustomed

^a MS. Life of the Countess, 17—20.

^b Orig. N^o. 112.

curtesyes. So it is, good my lord, that, since Michelmas was twelmonethes, I have never received any penye of suche allowances as I usually had for the clothing of my selfe, or my pore children, nor for anye other charges of phisicke, and suche like occasions, which my diseased and weake body doth, with continuall payne, almost dayly enforce me to use. Also, my good lord, the wages of my poore sarvants are due for more then a whole yeare: and I, standing wholly uppon hir maiestis gracious reliefe, am no way hable to discharge them, withoute your Lo. goodness. And, therefore, I most humbly beseche your good Lo. to take some compassion of my most desolate estate, the reliefe wherof I know not howe to procure, but by your lordshipps favorable meanes to hir ma^{ti}, for hir gracious clemencye towards me. And thus, in all dutifull sorte, most humbly intreating your Lo. to stand my honorable frind, in this my heavy fortune, I comitt my sute to your good remembrance, and your lordshipp to the tuition of God, this 12 of November.

“Your good Lo. poore frind, most unfortunate,

“Anne Arundell.”

“*To the Right Honorable my very good lord
the Lord Burleigh, Lord Hyghe Tresurer of England.*”

Endorsed by Burleigh's Secretary,

“*Countess of Arundell to my Lo. 12 November, 1589.*”

The Countess of Arundel died, at Shefnal Manor, in Shropshire, April the thirteenth, 1630, in the seventy-fourth year of her age, and was buried in the same vault with her husband, in the collegiate chapel at Arundel.^a

^a MS. Life, 70.

XXIV.

THOMAS HOWARD, SECOND EARL OF HIS FAMILY.

The subject of the present memoir was the only son of Philip, the last Earl of Arundel, by the Lady Anne Dacre, sister and coheir of George, Lord Dacre, of Gillesland. He was born, according to his own testimony, at Finchingfield, in Essex, in the year 1585:^a and, at the period of his father's death, was, consequently, but little more than ten years of age. His education, however, had been advanced with more than ordinary care. Coming into the world at a moment of misfortune and bereavement—his father had just been committed to the tower—his instruction became the principal employment of his mother's solitary hours. To inform his mind, and cultivate his judgment, was her constant anxiety; to impress upon him those notions of loyalty and honour, which might reflect dignity even upon his exalted rank, was her assiduous endeavour; and no exertion was spared, no lesson omitted, to qualify him for the service, and render him the ornament, of his country.^b These efforts of his parent were not bestowed

^a MS. Harl. N^o. 6272. f. 29, 30.

^b “ And, indeed, y^e principal care she had and shewed, in y^e beginning of her widowhood, was about y^e good education of those two (children) she had; the young lord, her son (now Earle of Arundell), being but ten years old, and his sister, y^e lady Elizabeth, a year and a little more older than he. And to y^t end, she not only procured to have alwayes with her such as might and did instruct them in y^e knowledge of God, his true religion, and all other christian duties, but herself also, both by word and example, did continually incite

in vain. The indications even of his earliest years bore promise of the future powers of his mind: and in the intelligence of the child the sagacity of his friends often discovered and foretold the developments of his maturer years.^a

From any other prince than James it might have been expected that the sufferings of the late Duke of Norfolk, in behalf of that monarch's own mother, would find some place in his recollection; and that one of his earliest cares, after his accession to the English throne, would be, to restore the young Maltravers to the forfeited honours and possessions of his family. But the filial attachment of James was never very conspicuous; and the orphan youth of seventeen was not of sufficient importance, to claim any distinguished attention from the new sovereign. He was restored, indeed, to the earldoms of Arundel and Surrey, as well as to such *titles* of baronies as had been possessed by his grand-

1604.

"them to all vertue and piety: wherein her daughter made such
 "good progresse, in those few years she lived, that she was therein a
 "pattern to all of her age and quality. She dyed about y^e age of
 "sixteene, and had so much profitted in learning, that, besides her
 "skill in working and writeing very well, she not only understood y^e
 "Latin and Italian tongues, but could read in English, very readily at
 "first sight, any thing written in either of those languages." MS.
 Life of the Countess of Arundel, ch. 12. p. 46.

^a Robert, Earl of Essex, who had married Lady Frances Howard, the cousin of Lord Maltravers—so he was styled by courtesy—used familiarly to call him "The Winter Pear." Walker's Historical Discourses, p. 210. Lloyd, who erroneously places his birth in 1572, says also that he was educated at Westminster, and Trinity College, Cambridge: he offers, however, no authority for this assertion. Memoirs of Loyalists, p. 284.

father :^a but the superior dignity was still withheld ; the whole patrimony of the family, with the single exception of some of the Sussex estates, was divided amongst other, more influential, or more importunate, suitors for the royal bounty ; and the young Earl had the mortification of finding himself encumbered with honours, which he was deprived of the means of adequately supporting.^b To recover the alienated property became now his anxious endeavour. The aid of a loan enabled him subsequently to purchase back the portion of it

^a Brev. de Certior. A^o. 2 Jac. I. N^o. 6.

^b “ At the beginning of king James his comming into England, “ all the ancient estate belonging to the family was given away by the “ king, so that my lord was left without any of the ancient patri- “ mony.” (MS. Letter of Aletheia, Countess of Arund. at Norf. House, N^o. 398, the whole of which will be found in a subsequent part of the present work). “ Tis true he was, by act of parliament, “ restored to the title of Earl of Arundel, and to all the honour de- “ pendent on the same, though not to all the possessions, some being “ granted, as the baronies of Clun and Oswaldestre, which were given “ from this Earl to his uncle, the Earl of Northampton, and by him “ transferred to his nephew of Suffolk, and his posterity,” (Walker’s Hist. Disc. 210). The estates in Norfolk, Suffolk, Cambridge, Essex, and Surrey, the baronies of Bramber and Lewes, and their various dependencies, in Sussex, were, March 1, 1608, given in moiety to the Earl of Suffolk, and the Lord William Howard of Naworth (Lib. B. f. 391. at Norf. House.). Arundel House, and the estate in London, were conferred, in 1603, on Charles, Earl of Nottingham (Pat. 1 Jac. 1. p. 8.) : but, in January, 1608, were regranted to the Earl of Arundel (Lib. B. f. 71.). This grant, however, was not obtained without a large consideration to Nottingham. Writing from Arundel House, in the following November, and mentioning the purchasers at an expected sale, Arundel says,—“ of which number I would be one, if the Admirall were not damned for makinge me pay foure thousand pounce for this house.” Lodge, Illustrations, III. 331.

assigned to his two uncles, the Earl of Suffolk, and the Lord William Howard; but the immense sums required for this purpose, added to the enormous interest at which he was compelled to borrow, crippled his resources, and involved him in difficulties, that have frequently been ascribed to a lavish expenditure on works of art. His marriage, indeed, with Aletheia, third daughter, and eventually sole heir, of Gilbert, Earl of Shrewsbury, had afforded him a partial assistance in these embarrassments: it had even promised, at no distant period, to relieve the estates from every encumbrance: but other circumstances, to which it will presently be necessary more particularly to allude, soon after arose to frustrate the expectation, and his perplexities continued to press on him unremittingly through the remainder of his life.^a 1606.

Arundel had been introduced at court the year before

^a MS. Letter, ut sup. The deed of sale, by which, "in consideration of a competent sum of money, to them in hand paid by the said Thomas, Earl of Arundell," the Earl of Suffolk and Lord William Howard conveyed to him the estates mentioned in the preceding note, is at Norfolk House, Lib. B. f. 391.—Among the unpublished papers in the Shrewsbury collection, preserved in the College of arms, are two letters, one in vol. K. p. 248, from Edm. Lascelles to the dowager Countess of Shrewsbury, dated April, 1604, in which he speaks of overtures that had been made, by Sir John Hobart, for a match between the Earl of Arundel and the lady Aletheia Talbot; and the other in Vol. L. p. 61, from Thomas Edmonds to the same person, offering his congratulations on the marriage of the young people, which had just been celebrated. It is dated at Brussels, September 30, 1606. The lady's name, 'Aletheia,' is said by Vincent to have been conferred on her by queen Elizabeth, who was her godmother, "out of her majesty's true consideration and judgment of that worthy family, which was ever 'true' to the state." Discov. 470.

his marriage, where his talents and accomplishments had already attracted the notice of his sovereign.^a The splendour of his new alliance was now added to his own personal influence; and James, though not, perhaps, disposed to receive him with much cordiality, soon discovered the policy, at least, of securing his attachment.

1607. On the birth of his eldest son, in 1607, the king offered to become godfather, and, at the ceremony of the christening, conferred his own name on the infant.^b He would probably, at that period, have summoned the father to his counsels, had circumstances permitted it: but the health, no less than the religion, of the Earl opposed an insuperable obstacle to such an arrange-

^a Nichols's Progresses of K. James the First, II. 5, 43, 80.

^b Camden's Annals of James I. in Kennet, II. 642. Hunter, in his History of Hallamshire, has printed a curious letter from the Earl of Arundel to the Countess of Shrewsbury, concerning this christening. In it the writer says,—“As soon as ever God of his greate goodness
 “had blessed us with a sonne, wee all resolved to have bin sutors
 “unto your ladyship that you would vouchsafe to have bin his god-
 “mother. But it hath pleased the queenes majestie (oute of hir
 “especiall favor) to interpose hir selfe, farre contrary to our expect-
 “tation (seeing it hath never, till this time, been seene or knowne,
 “that the kinges majestie and the queene have christened any child
 “together), which must at this time stay the proceedinge in our firste
 “desire, unlesse eyther the unusualnes in like cases, or some other
 “accident, may divert the queene from hir intente, which if it doe
 “happne, then wee will advertise your ladyship therof by poaste, and
 “will goe forward in our humble suite.” p. 96. The queen *was*
 “diverted from her intent,” and the Countess of Shrewsbury and the
 Earl of Suffolk, became sponsors with the king. Progresses of
 K. James I. Vol. II, 143. The ceremony was performed in the royal
 chapel at Whitehall, on friday the seventeenth of July, 1607. Camd.
 ib.

ment; and his course, therefore, during the next four years, is traced only in the amusements of the court, and the applause that he secured at the numerous tournaments at which he appeared.^a The following letter, written on the death of his grandmother, the Countess of Shrewsbury, in April, 1608, presents him in an amiable point of view. It is addressed to his wife.^b

^a He had already been engaged as a performer in one of the court representations of Ben Jonson's *Masque of Hymen*, in 1606; he now appeared in that of *Beauty*, in January, 1608, and again, at Lord Haddington's marriage, in the following month, (*Progresses of K. James*, Vol. II. 5, 141, 186.). It was probably about the same time that he wrote the two letters, which are preserved, among the Shrewsbury papers, in the College of Arms, Vol. L. p. 173, and Vol. M. p. 479. In the first, he says,—“My wife defers her writinge, till she may sende yo^r Lo^p the booke of the queenes masque, w^{ch} will be shortly: and I am so troubled wth another masque, as I want leisure to write any more to yo^r Lo^p at this time.” The other he concludes thus:—“My wife would fayne have written, but that her practisinge of the masque, w^{ch} is now deferred untill Sondag nexte, will not give her leave.” They are both addressed to his father-in-law, the Earl of Shrewsbury.

It has been asserted, on the authority of Walker, that he went to Italy, in 1609, and remained abroad till 1611: but, from the instances in which his name appears among the combatants at the several tournaments held in January and June, 1610, it is evident that this is an error.

^b Original, at Norf. House, No. 34. It is without date: but the Countess of Shrewsbury's funeral was to take place on the fourth or fifth of May, 1608, (*Shrewsb. Papers*, Vol. L. p. 153.), and it must have been written shortly after.

The Earl of Arundel to his Countess.

" My Deerest Harte,

" Since my thoughtes are withoute intermission fixed on thee, I cannot let any occasion slippe, whereby I may contente the, and please myselfe, by repeateinge the infinite happines and only contentment of my life, which I enjoy by thee. I shall not neede to tell you what I have hearde from Sheffeld, because I sende you the only letter w^{ch} I receaved by Havers, whome I mette within foure or five myles of London : he brought from my Lo. a greate packet, w^{ch} he hath sente to Mr. Hamon, wherein are letters to my Lo. of Salisbury and many others. He sayes y^r mother takes the death of y^r grandmother very ill, and, because she knowes you will do soe to, she badde him desire me, if he mette me at Newmarket, to go presently to London to comfort you : and my Lo. sayes he will presently paye all his (her ?) debtes. My Lo. Cavendishe, his sonne, went from the interring of his grandmother's body, at Derby, to his uncle, Henry, and there remayneth still. Havers telleth me to, my Lo. of Pembroke goes on Monday from Newmarkette to visit Sheffelde. I wish that there were no more dissembling, in any body, then there is betweene thee and mee : then there should neede none of all this adoe, but everye bodyes deedes and sayinges should agree wth theyre meaninges, as it is betweene thee and thy most affectionat loving husband,

" Arundell."

" I pray give my little sweete boy very greate thanks for his token, and because I have none heere to requite it, give him twenty kisses frome me, and my deerest blessinge ever."

*" To my deerly beloved wife
the Countesse of Arundell."*

1611.

In the year 1611, the Earl was created Knight of the Garter, in company with Prince Charles, and Robert Carr, afterwards Earl of Somerset.^a His health, however, still continued to decline ; and, to recruit his

^a Camd. in Kennet, II. 643.

strength, he determined to try the effect of a temporary residence in the milder climate of the south. The experiment appears to have failed, for in November, 1612, Mr. Thomas Coke, writing to the Earl of Shrewsbury from Venice, says, “ my Lord of Arundell is weake and leane after his much phisique, but resolute to com̃ for England.”^a His return, in fact, was already resolved

1612.

^a Original, at Norf. House, N^o. 232. Coke was, I believe, a clergyman, and was afterwards employed as tutor to Arundel's sons abroad. The following is the description which, in this letter, he gives of one part of his own journey through Italy. At Turin, he says, “ the Count of Cartinignano, (in whose howse Mr. Parkhurst, the secretary, is) would have constrayned me to have stayed in his howse all night, which his intreaty I dispensing withall tooke my leave ; and because I would not seeme to have refused so honorable a favor for one poast's ryding, desirous to ryde the two, at about seven of the clock in the night I arrived at the river of Malone (one of the tributary streams of the Po), which, by reason of the greate rayne, I must passe by boate : and imbarqueing myselfe with the postillion and one stranger, my postillion leading out his horse, the horse fell in betwixt the banck and the boate, and not being hable to rise the steepe banck, the boy, houlding up the horse's head by the bridle, was faine, to retorne to the boate, to swym him back againe to the other syde ; but the horse struggling broake his girthes, and away went the saddle, and, tyed unto it, my portmanteau, with all my letters which weare in it, for the which I am infinitely sorry, haveing by this misfortune disapointed boath many noble persons in England, and also my Lord heere (the Earl of Arundel). It rayned all that night extreamely, yet I sent foarth boates to seeke if by chance it might stay at som hedge or stake, and leaft money with the poastmaster to send fishermen to fish for it, when the waters might falle, and tooke the best course that I could for it. I stayed theare eighteen howres, and am very persuaded, by such informacions as I have taken, that none lyving can ever reade those letters againe, though they should be found, whereof I have no hope ; the river

on; and, before the close of the year, he had once more joined his friends at home.

The marriage of the princess Elizabeth, with Frederick, Count Palatine of the Rhine, February 14, 1613, is minutely described in Leland's *Collectanea*.^a At that splendid ceremonial both the Earl and his countess assisted, the former carrying the sword of state, the latter acting as one of the trainbearers to the queen; and, shortly after, they both left England, to conduct

“ was so violent, and the water so increased by that night's rayne, as
 “ that, the next day, I could not com neere to see the place. A Savoyard
 “ light in my company at Torcelli, who had his horse overthrowne in
 “ the water, his cuishionet taken away, but recovered againe (it being
 “ in the day and in a narrow ditch), but lost seven ducatts out of it.
 “ The ordinary of Milan, in my company, at a passage neere the Lago
 “ di Garda, coming out of a boate and passing som plancks lately
 “ layde, they broake, and he fell in, but [only] to the middle. My
 “ postillion at Montebello, in midst of the towne in a torrent, was
 “ taken from his horse, and caryed away downe the water, at the least
 “ fifteen or twenty yeardes, the one halfe (of the distance) unseen
 “ every part of him : but the brooke being narrow it drive him uppon
 “ a banck, and so he was saved. But poore Mr. Nic. Fitzherbert,
 “ going from Florence (about two dayes after my misfortune) to
 “ Roome, was drowned by the way. All which I trouble your Lord-
 “ ship with, not that it helpeth my mischance, but to give som instance
 “ of that which is sayde heere, that, this forty yeeres, hath not beene
 “ such weather as now.”

The Fitzherbert, whose death is here mentioned, was the second son of John, and the grandson of Anthony, Fitzherbert, the celebrated lawyer. He was educated at Oxford; went abroad, and became secretary to Cardinal Allen; and, though a layman, was at one time solicited to undertake the episcopal charge of the English mission. This, however, he refused. He was the author of several Latin works, which are distinguished by the purity of their style. See Dodd, II. 159. ^a Vol. V. 329 et seq.

the royal bride to her husband in the Palatinate. Thence they again proceeded to Italy, where they remained, but without any material improvement in his health, during more than twelve months. It was on this occasion that he began to form his celebrated collection of works of art.^a

In November, 1614, the Earl, with his Countess, returned to England;^b and, in the following January, we find him in attendance on the king, who then held his court at Newmarket. But the revelries of the palace had no power to divert his recollection from home. As usual, his thoughts were resting with his family, and, on the evening after his arrival, he addressed the following letter to his lady.^c

To the Countess of Arundel.

“ My deerest Hart, I thanke God wee came hither yesterday safe : the weather hath bin, and is still, soe sharpe, as I yet finde not myselfe very well, though I goe abroade. I thinke certainly eyther rayne or snowe will shortly fall, and then (I hope) the ayre will be more temperate for my thinne body. I hope to heare of your health and my deere children, as any oportunity of sendinge offers itselfe. I pray comēd me to all my frendes, and in particular to Sir Tho. Somerset, to whome I nowe will write, and to Mr. Secretary. Heere is noe newes, but that his m^{tie} is in good health, w^{ch} God longe continewe. Soe, wth my infinite love to you, and daily prayers for you, I ever rest

“ Your most faithfull lovinge husbände,

“ *Newmarket, Tuesday night,*
17 Janua : 1614.”

“ T. Arundell.”

“ *To my deere wife the Countesse of Arundell,*
at Arundell House, in London.”

^a Walker, 211, 212.

^b Camd. in Kennet, II. 644.

^c Original, at Norf. H. N^o. 235.

In the course of the summer, the court had removed to Salisbury, whence the Earl, who accompanied it, wrote the following.^a

To the Countess of Arundel.

" My deerest Hart, I thanke you for y^r letter and remembrance by Apsley : God be thanked for y^r good health, and all our children, and longe blesse us wth it as the greatest worldly comforte. This morninge I was a little ill of a surfette, but nature hath helped herselfe, and I hope by tomorowe morninge I shall be perfectly well. Upon Thursday nexte, the kinge dineth at Wilton, by which time my lo. of Pembroke hopes Mr. Jones will be come hither. I tell him I hope he will, but I cannot promise, because I spake not with him of it when I came out of towne. I meane (by God his grace) to be at Arundell on Tuesday or Wednesday come seavennight, w^{ch} is the eighth or ninth of Auguste : if Mr. Jones come hither, I will bringe him wth me ; if not, you must wth you. If, upon any occasion, I alter my resolucion, I will sende worde. I beseech you see the walke and busines at Highgate set on, for I envie much y^r happines, and hope in God to enjoy my parte there. The queene is well, but not soe stronge of her feete as she could goe to church wth the kinge this day : all els are well, and the kinge well disposed as I hope. I pray comẽend my service to my lo. and la. of Shrewsbury, if you see them. Soe, wth my deerest love and prayers unto Almighty God for all happines to us and all ours, I ever rest

" Y^r most faithfull lovinge husbande,

" *Salisbury, Sondag,
30 of July, 1615.*"

" T. Arundell."

" I pray comẽend me to my sonnes, Harr. and little Mr. Bill, whoe, the queene sayes, is a proper gentleman. I make noe question but Mr. Jones will soone speake wth Mr. Oldborough, and have under his hand some certainty of his disbursements and employment in Rome, con-

^a Original, at Norf. H. N^o. 237. " July 21, 1615 : the king begins his progress.—July 24 ; the queen takes a progress towards Salisbury." Camd. in Kennet, II. 644.

sideringe his Mr. ———. I am sure Mr. Jones will, in his bargayne wth Cimandio, include that picture of his father and uncle w^{ch} hanges amonst the rest."

"To my most deere wife the Countesse of Arundell,
at Arundell House, in London."

Another letter, written from Royston, in the following October, is not without interest.^a

To the Countess of Arundel.

"My deerest Hart, I could not (havige the occasion offered of Sir Tho. Metthames goinge to London) but comẽend my deerest love to you. I thanke God, wee are all well heere. I am sure my lo. cheife justice's^b cominge hither in terme time hath made discourse throughout London. He arrived heere this morninge, aboute 8 of the clocke, and, aboute eleven, my lo. Chamberlayne^c came hither, whose manor of cominge was observed, both because he came not into London from hence untill late yesternight, and, besides, he came on horsebacke, w^{ch} his Lo^p doth not usually doe. What becomes of the matter in question, about Overbury's death, is not yet made knowne, but it is doubted it will not proove well, because the lo. cheife justice hath refused to bayle M^{ris} Turner,^d notwithstandinge soe greate instance hath bin made. I wonder wee heare not yet of my lo. and la. of Shrowsburies petitions, w^{ch} I doubte will come too late, because Mr. Secretary goes from hence on Friday.^e Comẽende my humble

^a Original, at Norf. H. N^o. 240.

^b Sir Edward Coke.

^c The Earl of Somerset, who had succeeded Suffolk in that office, on the death of the Earl of Northampton. The reader will recollect that he was afterwards arrested and condemned, though not executed, as an accomplice in the murder of Overbury.

^d See the arraignment of this person in "Truth brought to Light," p. 61.

^e At the period of Lady Arabella Stuart's capture and imprisonment, the Countess of Shrewsbury, who was her aunt, was also committed to the tower, on a charge of having assisted in her intended escape. The

service to my lo. and la. of Shrewsbury : and soe, wth my deerest love to y^r selfe, and most humble and hartye prayers unto Almighty God for all happines to us and all ours, I ever rest

“ *Royston, Wednesday,
12 Oct. 1615.*”

“ Y^r most faithfull lovinge husbände
“ T. Arundell.”

“ *To my deere wife the Countesse of Arundell,
Arundell House, in London.*”

The following is without date ; but must have been written about this time.^a

To the Countess of Arundell.

“ My deerest Hart, I send you backe y^r footman, and am glad by him to have the occasion to comēd my deerest love unto you, wth whome my hart is every minute. I am very gladde you have taken a newe gardner, and will make Highgate somewhat handsomer, for my hart is very much upon it, and every fayre day I envye you exceedingly there, where you enjoy more happines in gardeninge quietly, then (I protest I thinke) any other fortune giveth. This day seaven-night (by God his grace) wee shall see you. * * * * *
* * * * * I would fayne have the wainscote under the gallery windowes, at Highgate, made to runne up before the windowes at nightes, as those in my uncle Williams lodginge at London doe. I was yesterday at Thetford, where I wished you. I hope you will like the ayre well, though it be very barren and bleacke. I could write all night unto you, for w^{ch} I will not challenge soe much as you did of me once, for writinge two sides of paper : for I confesse I am very idle heere. God in heaven I most humbly beseech him blesse us and all ours. Soe, wth my deerest love, I ever rest

“ *New-markette,
Saterdag, at night.*”

“ Y^r most faithfull lovinge husbände
“ T. Arundell.”

“ *To my deere wife the Countesse of Arundell,
at Highgate.*”

Countess remained in confinement till Arabella's death, in September, 1615, but was soon after released (Truth brought to Light, p, 90.). The petitions here mentioned were probably intended to hasten her liberation. ^a Orig. at Norf. H. N^o. 26.

At this distance of time, and with little to direct us in the contemporary records of his age, it is difficult to ascertain the influences, to whose operation his religious tenets had, at this period, been subjected. By his mother, a zealous and exemplary catholic, he had been educated in the doctrines of the proscribed church: but of the means by which his ideas on those subjects became afterwards unsettled; of the doubts and discussions, the anxieties and fears, commonly regarded as the natural prelude to the abandonment of principles blended with our earliest impressions, we are told nothing. Certain only it is, that a career of ambition, inaccessible to the professors of the old religion, was now opening before him. The smiles of the sovereign, though possessing but little warmth, yet shone with sufficient brightness to gild the prospect to his imagination: and, in the royal chapel at Whitehall, on the twenty-fifth of December, 1615, he publicly received the sacrament, according to the form of the established church.^a It seldom happens that the relinquishing of an opinion, which excludes its maintainers from emolument or

^a Anecdotes of some of the Howard family, p. 75. The MS. Life of his mother, to which I have already referred, speaking of the care which she bestowed on his education, says, that, “on her side, nothing “was omitted that was necessary for his continuance in the catholick “religion, in which he did remaine some years after his marriage, “and departure from her government, till, partly through fear, partly “through desire of the king’s favour, he accommodated himself by “degrees to the times, more than he ought to have done, to the incredible sorrow of his good mother” (p. 48.).—Camden assigns the period of his recantation to Christmas, 1616 (Kennet II. 646): but he was admitted to the privy council in the July of that year, and must, therefore, have conformed at an earlier period.

power, is able to secure the respect, however it may command the applauses, of the world. In spite of every profession to the contrary, men generally unite in suspecting the sincerity of him, whose principles seem to accommodate themselves to his interests, or whose convictions may be thought to have been formed upon a calculation of the advantages before him. However honestly he may have adopted his new sentiments, their convenience invariably throws an air of doubt upon his motives. The party that he has deserted despises him: the allies whom he has joined mistrust him. His friends are ashamed of him: his enemies revile him; and each is ready to agree, that, in pretending to subject himself to the guidance of one set of doctrines, he has, in reality, thrown off his adherence to all. Much of this remark is applicable to the Earl of Arundel, and to his abjuration of the religious principles of his youth. Though by it he removed the obstacles to his political advancement, he failed to obtain the esteem even of those, whose opinions he embraced. Of the writers who were intimately acquainted with him, Sir Edward Walker is the only one who has left us a detailed account of his life: but Walker was his panegyrist, both from gratitude and affection, and the consequence is, that, ashamed of an act which he must have known, but felt himself unable to vindicate, he has passed it by, without venturing even to allude to it.^a On the other hand, we learn from Echard that few persons believed in the

^a Walker was originally a servant in the Earl's family, became his secretary, and was afterwards promoted by him, through various degrees, to the office of garter king at arms. Wood, *Fasti Oxon.* II. 17.

sincerity of his conversion:^a whilst his enemy, Lord Clarendon, tells us, that he lived in a state of utter indifference to all religion, and “died in the same doubtful character in which he lived.”^b It is more than probable that the contemplation of these circumstances suggested one passage, at least, in the following letter, written to him by his mother many years later, and directed to be delivered to him after her death.^c

To the Earl of Arundel.

“My Dear Son,

“You cannot but know, and I hope the world may witness, how careful I have been, all my life time, to procure in every kind y^r well-doing; but that which hath ever gone nearest to my heart, and for which I have offered my daylie prayers to Almighty God, is the eternal good of y^r soul, which now, with this my last farewell to you and yours, I do, with y^e tenderest affection that a mother can express to her child, commend unto you; and with all earnestness pray you, for God and your own soul's sake, to think seriously upon your present state, and consider *how little you have gained either of honour, wealth, reputation, or true contentment of mind*, by the course which, now many years, you have followed, contrary to y^e breeding and education I gave you, and to y^e worthy example y^r blessed father left you, and the true judgment of all those that wish best unto you. If, my good child, you do this carefully, I shall not need to use any other reasons, but hope that God will assist you with his holy grace, so as that you will speedily return to that safe harbour of God's holy church, out of which you can see nothing but confusion, nor any, that are not wholly ignorant, can prudently expect salvation. And this I have

^a Vol. II. 85.

^b Hist. of Rebell. I. 44. Of the religion in which he brought up his sons I have discovered no decisive evidence: but several of his grandsons are known to have been entrusted to his care; and it is not an inapt illustration of his real sentiments that they were educated catholics.

^c MS. Life of the Countess, p. 49.

more plainly expressed, for the discharge of mine own conscience, and for y^e declaration of my love to you, which makes me hope you will make much use of this my warning, that it be not brought as a testimony against you at y^e latter day, when we must all meete together to give account of our lives and actions. I beseech God to blesse you and all yours, that, in y^e company of my dear lord, y^r father, I may enjoy you all in perpetual happyness : and so I take my last leave of you in this life, ever remayning

“ Your affectionate loveing mother,

“ Anne Arundell.”

- But, whatever were the opinions of the world, or the regrets of his own family, dignity and power, at least, were ready to confer their rewards on his conversion.
1616. In July, 1616, he was sworn of the privy council : on the fifth of October, he was named in the commission of six peers, appointed to exercise the office of Earl
1617. Marshal ; and, in the following March, accompanied the king in his progress to Scotland, and became a member of the privy council in that kingdom.^a From Scotland he embarked for Ireland, where he obtained a similar mark of distinction : but the object of his visit to that country was of a private and temporary nature, and he was enabled to rejoin his royal master at Carlisle, in the early part of August.^b In September, the court had returned to Westminster, and Arundel was with it. He was now regarded as one of the principal favourites of the king. His influence was acknowledged by all : his patronage was sought by the most powerful : the highest offices of the state were solicited at his hands ;

^a Camd. in Kennet, II. 646, 647. Walker, 212. Prog. of James the first, III. 348.

^b Prog. ib. 394. 415. Walker, however, dates his admission to the privy council of Ireland in 1633. p. 214.

and the introduction to his favour was considered as the surest road to honour and preferment.^a The following letter, however, from Dr. Harsnet, bishop of Chichester, will shew, that, where merit existed, solicitation was not always necessary, to obtain his notice; and that, if his interest with his sovereign was great, his judgment in the selection of objects for the royal attention was not less.

To the Earl of Arundel.^b

“ O vir omnium nobilissime, lege hæc : lecta combure.

“ My moste Hon^{ble} Patron,

“ I muste, yf I bee an honest man, speake unto your l^p in my civil lyfe, as unto my confessor, that is (after the Hebrue phrase, or eloqui) speake the very secrett of my hearte, whereout I shall speake incredible thinges, rather seeminge dreames to your l^p then the dictats of a true spirit. My good lo. I have a great witnesse in heven, my great and dread judge, that I never affected the place I am in, nor eny bishoprick in the kingdom. I sawe them shadowes wthout bodye, and myselfe lesse then a shadowe. Sithence I was Bp, I never had eny seute of y^e place, nor never affected to bee higher. My good lo. the true ground is this : I am not for these tymes, nor these tymes for mee. A true touch hereof your l^p had plainly in viewe,—my late requitall for

^a A letter from Sir Dudley Carleton to the Earl is preserved at Norf. H. (N^o. 256), the object of which is, to “ sollicit your lordship,” as the writer expresses it, “ to preferre me into his maties service neere his person, in place of Mr. Secretarie Winwood, whom God hath called.” It is dated at the Hague, Nov. 3, 1617. In a letter, written ten days previous, to Sir Horace Vere, Carleton desires Vere to deliver the French copy of one of his works (probably his “ Harangue touchant le discord et les troubles de l’église et de la police, causés par la doctrine d’Arminius”) to the Earl of Arundel, and “ to intreate his l^ps protection therof, w^{ch} it will have neede of, yf these Arminians have so strong patrons in our court, as they would persuade the world.” Orig. N^o. 254.

^b Original, at Norf. H. N^o. 258.

my poor true service to his matie and my (his ?) moother. I praye God I may never remember it, nor eny true subject feel the like : It may happily shake him at the roote. My phantasme of these tymes is this. All the witt, lerninge, wisdom, gravitye, government, that is to bee founde in all our ranke (*quæ scio quam sint exigua*) putt into one man, cannot make him a Bp : nor all-assistinge nobilitye stirre him one ace higher. Then, my good lo. engage not that gemme w^{ch} hath made your name illustriouse (that is, true auncient honor) at the stake of base corruption, for a man more weary and full of the tymes, then the tymes are of him ; one that doth as much loathe the nowe stepp of climbinge ambition, as hee doth the stepps to hell.

“ My Lo. I am nowe off the stage, sine dedecore, though not sine vulnere. Bring not your servant on againe : lett mee dye a silenced, obscured, deaded man. It was never so true, ‘ bene qui latuit, in hisce diebus, bene vixit, beate exit.’ Howe Almightye God raised you, my lo. Howard, mine unexpected unmerited patron, God of heven hee knoweth, I knowe not. My nowe ambition is more to live and dye under the shadowe of your wynges, then to bee made the greatest Bp. in this lande. Then, my lo. lett mee live to my God, and dye your loyal servaunt, w^{ch} when I fayle to bee, lett God and all his goodnesse fayle and forsake mee : and in this holie option I moste humbly rest

“ I am more then fullye satisfyed
touchinge the charter of Chichester.”

“ Your lp^s poor true
faythfull servant,

“ *at Ardham, 29 Dec. 1617.*”

“ Sa. Cicestren :”^a

“ *To the right Hon. the Erle of Arundell,
his singuler good lorde, at Court.*”

^a Harsnet, however, in spite of his virtuous reluctance, was translated to Norwich, in 1619, whence, at the end of ten years, he was removed to the archiepiscopal see of York. He died in 1631, and was buried in the parochial church of Chigwell, in Essex, where his ministerial labours first commenced. The following is his epitaph, written by himself : “ Hic jacet Samuel Harsnet, quondam vicarius hujus ecclesiæ, primo indignus episcopus Cicestrensis, deinde indignior episcopus Norwicensis, demum indignissimus archiepiscopus Eboracensis, qui obiit xxv die Maii, A. D. MDCXXXI.” Godwin, de Præsul. Ang. 713.

Another letter from the same person, written a few months earlier, and immediately after Arundel's return from Scotland, will not be unacceptable to the reader, who may wish to know something of the local influence which the Earl possessed in Sussex.^a

To the Earl of Arundel.

" My moste Hon.^{ble} good Lo.

" Next unto those starres of your lp^s hon^d ffamilye, I knowe none in England that have suffered more eclypse by your lp^s absence then myselfe, nor none that have so much cause to joye in your lp^s happie returne. ' Multos annos' was the Nicen acclamation to Constantine y^e great, w^{ch} I moste zelouslye greet your lp wthall. My lo. I colde never yeat bee drawne to putt a little finger into the fyer of Chichester, thoughe many coales have been kindled, and much smoke blowne up and downe. Yeat, least your lp shold deeme that you have never a loyal servaunt in Sussex, willing to advertise your lp of publike affaires, I am bolde to present unto your lp^s viewe the sparkes of a late emotion, w^{ch}, wthout your lp^s hand, is likely to breake out into a tumultuarie combustion.

" The government of Chichester, consisting of a maior and twoe auncient aldermen, justices of the peace, wth the hon. accession of your self and your noble progenitors, Highe Stewards of the same, there are lately crept into their comission, wthout notice, love, or liking of their Bench, twoe gentlemen, lawiers, one of the peace, the other of the peace and quorū, tending to the utter subversion of their exempt jurisdiction. Hee of the quorū is one Mr. Higgins; nominasse hominem satis est. The other is one Mr. Jorden, a grave, stayed, and temperat gentleman, stepping in (as I ghesse) to ballance the other's fierie ambition. Both are alike hatefull to the whole incorporation. They all nowe, as doves, flocke upp to the arke of your lp^s protection. My opinion is of their better usage of your lp then the senators of Rome towards Marius,—to flye unto your lp in a storme,

^a Original, at Norf. H. N^o. 252.

and to looke aside in a calme. That divine arme, y^t lead your lp forth,
and brought you safe againe, longe and longe preserve you in happie
estate.

“ Your lp^s moste

“ *Ardham, 12^o Sept. 1617.*

“ Affectionat servant,

“ *To the right Hon. the Erle of Arundell,
his singuler good lord, at Court.*”

“ Sa. Cicestren :”

1618-20.

Arundel was now thoroughly engaged in the politics and business of the court. He attended it in all its movements, regulated all its ceremonies, and was generally selected to display his superior and commanding qualities, in the reception of the ambassadors and other foreigners of distinction, who arrived in England.^a Nor were his services confined to these ornamental, but less useful, occupations. Whilst the elegance of his address, and the dignity of his demeanour were lending a charm to the dull monotony of court formalities, his taste was busy in collecting around him the choicest specimens of art, and stimulating his contemporaries to enter on the same laudable career. The Earl of Pembroke and Sir Robert Cotton had now become collectors: and it is amusing to observe the eagerness, with which he

^a On the first of May, 1619, the marquis de Tremouille arrived in London, on a mission from the French king (Camd. in Kennet, II. 651.): and, on the same day, Arundel thus wrote from Theobalds to his Countess: “ The kinge comādes me resolutely that I must goe to-morowe to visite the French ambassador from him; and, therefore, I pray you that I may have y^r blacke coach, wth foure horses, meete me at the feilde nexte to the turninge out of the high-way, that I may goe in it to see him expressely from thence, and come home afterwards” (Orig. at Norf. H. N^o. 269.). In the following year, he was at the reception of Count Gondomar, the Spanish ambassador, at Whitehall, and narrowly escaped a severe injury, from the fall of the gallery in which he stood. Camd. in Kennet, II. 653.

endeavours to anticipate his new rivals, in the purchase of their favourite curiosities. The following letter, though without date, must have been written about the year 1619.^a

The Earl of Arundel to his Countess.

“ My deerest Harte, I forgotte to write unto you this day by Bryan, that the greyhoundes the children lefte at Arundell House might be kepte wth care, for me to use at Hampton Courte. I shall have my lady of Derbyes lodginge, and coulde wish some body sawe it, to have the clerke of the workes mende what is amisse. I desire you woulde presently, by some meanes, knowe what Sir Tho. Roe hath brought of antiquities, Goddes, vases, inscriptions, medalles, or such like. I thinke Sir Robert Cotton, or Mr. Dikes, were fitte to gette them. I wish it were done before Friday, for I feare my lord Chamberlayne (Pembroke); and nowe I thinke they might easily be had. For flowers, I sent you worde M^{ris} Smith, whose garden wee sawe at Moore Feildes, knowes whoe hath the best. Soe, wth my hartiest prayers unto Allmighty God, for all happinesse to us and our sweete little knaves, and my deerest love to you, I rest ever

“ Yor most faithfull lovinge husbände,

“ *Theobald's, Monday.*

“ T. Arundell.”

“ *To my deere wife the Countesse of Arundell,
at Arundell House, in London.*”

But the attention of the Earl was not limited to the mere collection of antiquities. His mind had dwelt with admiration on the architectural models of Italy, and his reputation had recommended him to his countrymen as one of the few persons, whose taste and authority would be likely to render them serviceable in improving the buildings of the metropolis. In 1618, he had been joined in commission with the Earl of Pembroke, and others, to survey the ground called ‘ Lincoln’s Inn

^a Orig. at Norf. H. N^o. 31.

Fields,' with a view to the formation of the magnificent square still known by that name.^a In the following year, this commission seems to have been extended to other objects. James had determined to repair the cathedral of St. Paul, which, from the period of the fire, in 1561, had been suffered to go to ruin: he had resolved also to replace the dilapidated buildings of the old palace of Whitehall with the present Banqueting-house; and Arundel, with his colleagues, was appointed to superintend the work in its progress. The following letter, addressed to the Earl by the architect, Inigo Jones, will require no apology for its introduction in this place.^b

To the Earl of Arundel.

" Right Ho^{ble}

" In my journey to London, I went to Hã: Courte, whear I hearde that the Spanish imbassador cam to Kingson, and sent his stewarde to Hã: Courte, who looked on the loginges intended for the imbassador, w^{ch} weare in Mr. Hugines his roomes, but the stewarde utterly dislyked thos roomes, sainge that the imbassador wold not lye but in the howse: besides, ther was no furnitur in thos roomes, of bedding or otherwyse, nether for the imbassador or his followers: so the stewarde retorning to his lorde, he resolved only to hunt in the parke, and so retorne: But the keeper answered he might not suffer

^a The commission is at Norf. H. (Patents, Bundle B. 2.), and affords a curious illustration of the arbitrary principles, on which public works were conducted at that period. Amongst other things, it instructs the commissioners to "certify, in writing, the names of all and every "the persons inhabiting within the parishes next adjacent, who are "able to contribute to the same charge, with an estimate of what "they, and every of them, are willing, or may well afford, to give: and "also the names of such as are refractory, and deny to contribute to the "same."

^b Orig. at Norf. H. N^o. 272.

that, he having receved no order for it; so the imbassador went bake discontented, having had sum smart sporte in the warrine. But since, my lo. of Nottinghā, hering of this, sent to the imbassador, to excuse the matter, w^{ch} the imbassador tooke verry well, and promised to cō, and lie at Hā: Courte before his mat^{ies} retorne: but, in my opinion, the fault was chifly in the imbassador, in not sending a day or two before, to see how he was provided for, and give notice what wold please him.

“ Wee have satt on the com̃sion for buildinges, on Monday last, to put in mynd thos who ar bound by recognisance, or otherwyse, to conforme.

“ The plan of all the incroachments about Paules is fully finished. I heear that the masons do begin to make up that part of the east end w^{ch} they have demolished, not well, but with uneven courses of stone. I am now going to the m^r of the wards, to tell him of itt.

“ Mr. William was verry merry at his departure, and the busshope and he ar the greatest friends that may be.

“ After my departure frō London, many of the masons went awaye wthout leave, but since, som of thē ar retorned, and, for the rest, yf your lo^{ps} do shewe sum exemplary punishment, *causing thē to be sent up as malyfactors*, it will detter the rest frō ever doing the lyke.

“ The Banqueting-house goith on now well, though the going of the masons awaye have byne a great henderance to it.

“ Thus, with my humbell dutye, I rest

“ Your Honurs ever to be commanded,

“ y^e 17 of August, 1620.

“ Inigo Jones.”

“ To the Right Ho^{ble} the Earle
of Arundell and Surre, of
His Ma^s most ho^{ble} Privi Councell.”

The office of Earl Marshal had now been in commission for nearly five years, and its duties, exercised chiefly under the direction of Arundel, had been discharged with a fidelity more than usually satisfactory to the king. At length, James resolved to reward the services of the Earl, by transferring the whole authority of the commissioners into his hands. On the fifteenth

of July, the baton was delivered to him at Theobalds;^a and, on the twenty-ninth of the following month, a patent, investing him with the dignity of Earl Marshal for life, with an annual pension of two thousand pounds, was drawn up, and sent to Williams, the lord keeper, to be sealed. But Williams, so it appears, was not on amicable terms with the Earl. On the fall of Bacon, in the early part of the year, the great seal had been placed in the hands of Arundel and three others;^b and it may be, that, when Williams was nominated to the office of lord keeper, a jealousy had arisen between the displaced commissioners and the fortunate aspirant to office, which had embittered the feelings of both parties. But, whatever were the cause of the misunderstanding, the opportunity now offered to Williams of resenting any supposed affront was too favourable to be neglected. Instead of sealing the patent, he took occasion to demur to both the grants which it contained, and, in a letter to the Duke of Buckingham, declared, that the impolicy of the one, and the impropriety of the other, had induced him to pause, until he should have submitted his difficulties to his lordship. The pension, he thought, was unseasonable and excessive: the powers conferred by the grant were novel and exorbitant. If it were his majesty's intention to create a new, or to revive an obsolete, jurisdiction, in the court of the Earl Marshal, it was not for him, of course, to "question the wisdom and bounty of his master:" but, at the same time, his duty commanded him "to be wary what innovation passed the seal," and, though he might "offend that

^a Prog. of James the first, III. 670.

^b Hacket's Life of Williams, I. 51.

great lord in this small stay," yet, as he should lose little, "when he lost but him, whom (without the least cause in the world) he had irreconcilably lost already," so he should not be deterred by any considerations from obeying the dictates of his conscience, and stating his scruples candidly to his lordship.^a The answer to this letter has not been preserved: but Williams's opposition seems, in part, at least, to have produced its effect. The pension of two thousand pounds was abandoned; and the patent, conferring the office of Marshal on the Earl for life, with an annual salary of only twenty pounds, was ultimately sealed on the fourth of the following December.^b The powers obtained under this instrument were left to be determined on another occasion.

Amongst the several courts anciently established in this country for the preservation of the peace, and the

^a The letter is in Cabala, 285, and is dated Sept. 1.

^b Pat. 19 Jac. 1. p. 13. This accounts for the contradictions which have arisen, as to the amount of this pension. It should be added, that the patent empowers the Earl to carry, as the token of his office, as well in the royal presence as elsewhere, a golden staff, enamelled at each end with black, and bearing, at one extremity, the royal arms, at the other, those of his own family. This part of the patent is copied from the charter of Richard the second to Thomas Mowbray, Earl of Nottingham, by whom the golden staff was first borne. Before his time, the Earl Marshal's baton was of wood. Rot. Parl. III. 344. An account of the office of Earl Marshal, with a list of the persons by whom it was exercised, from the conquest to the death of Thomas, Duke of Norfolk, in 1572, is printed in the Howard Anecdotes, 149 et seq. He takes place immediately after the lord chamberlain, and lord high constable, before the lord high admiral, and lord steward, and "above all other personages being of the same estate and degree as he may happen to be of." Stat. 31 Henry 8. cap. 10. sect. 5.

decision of minor causes, was that of the constable and earl marshal; a court which, besides the cognizance of all matters relating to chivalry and deeds of arms, extended its judicial powers to contracts, slanders, assaults, challenges, and even, as in the case of Ramsay and the Lord Rea, in 1631,^a to appeals of treason. After the execution of the Duke of Buckingham, however, the last hereditary high constable of England, in 1521, this court had gradually fallen into disuse. From that period, the place of constable had been filled only by some occasional appointments; and the marshals, deprived of their colleague, had silently waived the exercise of their authority. Arundel, invested now with the power of Earl Marshal, determined to revive the slumbering jurisdiction of his office. But a formidable difficulty instantly presented itself. The post of constable was still vacant: it was contended that, as the court had always been held in the joint names of the constable and marshal, it was impossible for either to act in the absence of his associate; that the marshal was, in fact, only "a minister to see the precepts of the constable performed;" and that, consequently, the former was, in every view of the case, wholly incompetent to exercise the functions of a separate and independent judge. These objections rendered it necessary to suspend the proceedings of the court, in several cases already brought before it; and, to set the matter at rest, Arundel determined to submit it immediately to the decision of the king. James referred it to the privy council; the subject was carefully investigated; and, in 1622. August, 1622, a patent under the privy seal was issued,

^a Annals of K. James and K. Charles the first, 396.

in which the king declares, that, “ having now, both by
 “ our selfe, and by the body of our privy councell,
 “ received ample satisfaction, by many and cleere proofes,
 “ that the constable and marshall were joynt judges
 “ together, and severally in the vacancy of either, We
 “ do hereby authorize, will, and command you, our
 “ Earle Marshall, that, from henceforth, you proceed in
 “ all causes whatsoever, whereof the court of the con-
 “ stable and earle marshall ought properly to take
 “ cognizance, as judiciously and definitively as any
 “ constables and marshalls of this our realme, either
 “ jointly or severally, heretofore have done.”^a The
 court of the earl marshal was now re-established in the
 plenitude of its power: and Arundel is said to have
 exercised his authority, during several years, with a
 vigilance that gave “ great satisfaction to the nobility
 and gentry of this realm.”^b There seems, however, to
 have been an asperity in his manner but ill calculated
 to secure what he was always careful to demand,—the
 respect of those whom he deemed his inferiors. His
 dignity frequently swelled into pride; and the violence,
 with which he sometimes asserted it, rendered him not
 uncommonly the object of general dislike: so that,
 whatever ground of satisfaction “ the nobility and
 gentry” might find in his judicial decisions, there is
 reason to suspect, that, amongst the other classes of
 society, the Earl Marshal was not equally popular.
 The following anecdote, though referring to a somewhat

^a Breve de priv. sigill. 20 Jac. I. The original is preserved among
 the Harl. MSS. N^o. 1065. f. 16. This decision, however, was re-
 versed, and the powers of the court abolished, by a resolution of par-
 liament, in 1640. Nalson I. 778.

^b Dugd. Bar. II. 277.

later period is not unconnected with the present subject. “ In 1634, the Earl of Arundel, Earl Marshal, came to “ Chester, and not finding the deputy herald (the mayor), “ Randle Holme, in attendance, sent for him by warrant. “ The mayor attended with all the insignia of office, “ when the Earl said, ‘ Mr. Mayor, I sent for you to “ tell you your offence you have committed, in not “ giving your attendance as you ought, and now do you “ come with your authority.’ The Earl then *plucked* “ *the rod from the mayor’s hand*, and put it in the window, “ saying, ‘ I will teach you to know yourself, and attend “ peers of the realm. Though I care not for your “ observances, yet, because you want manners, I shall “ teach you some, and you shall further hear from me : “ I would have you to know, I have power to commit “ you, to teach you to know yourself and me, and give “ better attendance.’ ” The mayor, however, made some excuses, which pacified the Earl ; paid a fine, and was dismissed.^a

^a Extract from the Corporation Book of Chester.—Sir John Finet, in his “ Observations concerning the reception of Foreign Ambassadors in England,” has preserved an anecdote of this Earl, which is sufficiently characteristic. In 1620, the Marquis de Cadenet, with an immense train of noblemen and gentlemen, arrived at Gravesend, on an embassy from Louis XIII. to the English court, and Arundel, with the Lord Hunsdon, and others of the privy chamber, was commissioned by James to wait on him, and conduct him in state to London. When the Earl arrived, Cadenet, instead of receiving him at the entrance of the hotel, met him only “ at the stair head ; ” and, at parting, accompanied him merely to the same place. This seeming inattention awakened the indignation of the lofty nobleman. On the following morning, he sent the master of the ceremonies, to inform the ambassador that the barges were ready, and to add, that, as his

Among his equals, however, and under circumstances that rendered him fairly open to reply, this haughty, and sometimes arrogant, demeanour not unfrequently involved him in altercations and difficulties of no enviable description. It was in the course of a debate, in the house of peers, that Robert, Lord Spencer, referring to the early periods of our history, and the efforts then made to preserve the liberties of the nation, gave utterance to some sentiments, not exactly in accordance with the Earl Marshal's ideas. "My Lord," cried Arundel, "when these things you speak of were doing, your ancestors were keeping sheep." "And, when *my* ancestors, as you say, were keeping sheep," retorted Spencer, "*your's* were plotting treason." The house immediately interposed: both speakers were placed under arrest; and Arundel, who refused to apologize to Lord Spencer for his unprovoked intemperance, was

excellency's train was numerous, and the accommodation of his present lodging small, the Earl would not trouble him, by waiting on him there, but would meet him in the street, and thence accompany him to his embarkation. On their arrival at Denmark House—now Somerset House,—which had been appointed for the residence of the embassy, a similar scene was re-enacted. They had landed under the garden stairs, and the Earl had conducted the foreigner to the first step, when he suddenly paused, and, bowing to the ambassador, by way of taking leave, told him that "the gentlemen there would shew him to his lodging." Of course, the story was speedily conveyed to the royal ears: but James was not unwilling to forget the retaliation of the Earl in the previous neglect of Cadenet; "and the ambassador, the next day, made his excuse to the Lord Arundel, that his indisposition in his journey, and when he came to receive him, was the cause that he met him no sooner, nor accompanied him any further; whereupon, the difference was accommodated." pp. 67, 68.

finally committed to the tower, where he remained until he had made his submission.^a

But domestic events were now about to engage his attention, and cast at least a temporary shadow on his career. In the course of the year 1619, his two sons, James, Lord Maltravers, and Henry Frederick, had been placed under the care of Mr. Thomas Coke, and, with him, despatched to complete their education among the curiosities and the wonders of Italy. It is not unlikely that the absence of her sons, and her own anxiety on their account, first suggested to his lady the idea of following them to the continent. At all events, she appears to have left England early in the ensuing year, and, most probably, joined her children immediately.^b Her subsequent excursions, however, were not limited to the route which they were pursuing. In September, we find her at Spa: in the succeeding June, she was with them at Padua;^c but, before the close of the autumn, she had again removed, and had taken up her abode at Venice. Here, as in the other cities which she visited, her house soon became the resort of the most distinguished inhabitants: but the republic was, at that moment, agitated with alarms of treason, and it was not long before an intimation was conveyed to the government, that the meetings, held at

^a Walker, 212. Wilson's Life of James the first, 163, 164.

^b This, however, is not certain. The last letter, which I have found, addressed to her, in 1619, is dated in October. She was then in England: but, from that period, we hear no more of her until the following July, when we find her at Antwerp, sitting for her portrait to Rubens, and about to proceed thence to Brussels. The letter (Nº. 76), which mentions this circumstance, will be inserted hereafter.

^c Coke's Letters, at Norf. H. N^{os}. 274, 278.

her residence, were connected with the intrigues of the conspirators. The countess was in the country, when she first heard of this report, and, with it, of a resolution, on the part of the senate, to expel her instantly from the Venetian states. Of its author she was ignorant: but of her own innocence she felt assured; and she forthwith, therefore, returned to Venice, and, hastening into the presence of the Duke, demanded to know the grounds of the accusation, on which, she understood, the senate was about to act. The following letter, addressed by her husband to the English ambassador at Paris, not only explains the nature of the charge, and the result of her spirited appeal, but also tends to throw considerable suspicion on the conduct of Wotton, the English envoy at Venice.^a

To James, Earl of Carlisle, Ambassador Extraordinary in France.

“ My noble Lord,

“ I do gladly apprehend any occasion of commending my love and service unto you, and should be glad, for the public good, to hear more probability of a peace in France, which, if it should not be likely to be so soon as is wished, yet I hope we shall have this benefit by it, that we shall enjoy your good company the sooner, w^{ch} is much desired.

“ Your noble care of my wife made her command her servant, w^{ch}

^a The letter is in the British Museum, Ayscough, 4176. No. 156. An official account of this transaction, in three papers, entitled, “ Quello che avvenne alla Contessa d'Arundel, per il caso del Foscari: Ragioni che mossero la Contessa d'Arundel e demandare l'ingresso nel pieno collegio de Senato Veneto, 1622: Risposta della republica alla Contessa d'Arundel,” was purchased, amongst others of Lord Guildford's MSS. in December, 1830, for the British Museum. The papers were in lot 103 of the sale catalogue.

she hath sent expressly hither, if he came any thing near you in France, to have attended yo^r Lo^p, and have given you a particular account of an accident w^{ch} hath lately befallen her at Venice, w^{ch} since he could not doe, I will take the boldness to supply it, tho' not so particularly.

“ Your deer friend, Sir Hen. Wotton, sent unto her, being gone for a few dayes to take the air some ten miles from Venice, his secretary, with a letter of credence, and a message besides, by word of mouth, to this effect, that he heard, by sure intelligence, that the senate had resolved to intimate unto her her departure out of the city of Venice within a few dayes, and out of the state within a few dayes after, in respect that it was discovered that Foscarini, who was executed, had often met with foreign ministers (w^{ch}, after, he named to be the Pope's nuncio, and Emperor's agent) at her house : and, therefore, he advised her to stay abroad, to avoid the disgrace, till she heard further from him.^a This his secretary delivered unto her, on her way to Venice, first privately, and after, she made him deliver the same before some others there present. Whereupon she held on her way to Venice, and went immediately to my lo. ambassador, telling him she came to hear from his own mouth what she had done from his servant's ; w^{ch} delivered in effect as before, divers of her company being by, she asked him how long he had heard of this ? He said, of the report, some fiftene dayes, or more ; but of the state's resolution, not untill that morning. She asked him why he did never let her understand of it all that time ? He said, because she spake not to him of it. She said it was hard for her to speak to him of that, whereof she never heard the least rumour till that day ; and protested earnestly she never saw Foscarini since he was in England, he having only said he would visit her ; nor never heard, directly or indirectly, from any of those public ministers named. Whereupon he said, he believed there was then no such matter. She desired him to produce his

^a “ Foscarini, who had been ambassador (in England) from the “ republic of Venice, was barbarously strangled in prison, and, amongst “ other things, *for communicating some secrets to the Countess of Arundell.*” Camd. in Kennet, II. 659. Camden, however, as the reader will see, was mistaken as to the cause of Foscarini's execution.

authors, from whom he had it, w^{ch} he would by no meanes ; but wished her to be quiet, and that he would enquire farther of it. She told him it must not rest so, but she would appeal to the Duke for justification of her honour, w^{ch} was dear unto her ; which, the next morning, she did, tho' much contrary to his persuasion and desire ; where she had that good success, w^{ch} y^r Lo^p may discern by the papers w^{ch} herewith I send you ; and, after, received so many public demonstrations of honour and favour from that state, as are not usual.

“ For Sir Henry Wotton's part, I will only say this, that, if she had either been amazed with the suddenness and confidence of his first advertisement, and so retired herself as he wished, or afterwards had let it rest as he advised, her honour had been destroyed. But I thank Allmighty God she was guided by a better spirit, w^{ch} protects innocency, and turns the wickedest intentions to quite contrary effects.

“ Your L^p. sees how boldly the confidence of your favour makes me trouble you. I must earnestly entreat another favour from your L^p., which is, that you will be pleased to procure an effectual commandment from the French king, in writing, that my wife be used wth all humanity in his kingdom ; have leave to carry weapons and pieces to defend herself in these broken times ; as also her carriages not to be searched and ransacked ; and that, if occasion shall be in any part, she be assisted with convoys for her safety. Whether she will come thro' France or not, or whether before or after the heats, I protest I know not : only I desire she may have all meanes for her safety. If this accident had not happened, and likewise an indisposition of our younger boy with her (of whose perfect recovery I have not yet heard), she had been, ere this, come out [of] Italy. Now, I know not whether she can safely stir before the heats be passed.

“ I hear (God be thanked) my Lord Percy is very well in health, and I conceive you will shortly see him in France. All our newes here y^r L^p will hear from better hands. The king, our master, hopes for good effects of Mr. Chancellor's ^a employment, though yet there

^a This must have been Sir Richard Weston, chancellor of the exchequer, who was despatched, in April, on an embassy to the

hath not been time for much more than kind entertainment, and large professions of much kindness and good meaning of the Infanta's part. But an advertisement, that the Duke of Baviere means to quit the pretence of the electorate, gives best ground of hope to accommodate. God send all for the best, both in these affairs, and your troublesome negociation; and, howsoever, that your Lo^p may have much health and happiness, w^{ch} is wished more by no man than

" *Arundell House,*
13^o *May, 1622.*"

" Your Lo^{ps} faithfull friend and servant,
" *Arundell and Surrey.*"

1624. How long the countess remained in Italy, after this adventure, does not appear. In company with her sons, she subsequently passed into France, and thence, with a view to pay her respects to Elizabeth, queen of Bohemia, turned her course towards that country: but, at Ghent, James, the eldest of her children, was seized with the small pox; and, before the close of the year 1624, she returned to her husband, with the melancholy intelligence, that the most promising of their sons was no more!^a

archduchess Isabella, at Brussels, for the purpose of negotiating the affairs of the palatinate, and other matters connected with the Spanish match. See *Camd. in Kennet*, II. 659; and *Wilson*, *ibid*, 754.

^a " James, Lord Matravers, the Earl's eldest son and heire, a personable gentleman of rare witt and extraordinary expectation, dyed at y^e citty of Ghendt, in Flanders, in July, 1624, being then about eighteen years of age. This young nobleman comeing out of Italy, together wth y^e countesse his mother, and his brother Henry, who succeeded him in title and birthright, being now in France ready to come for England, wither they sent most of their retinue, they directed their journey, upon I know not what motive, towards Holland, with intention to have kissed the handes of y^e lady Elizabeth, sister to his majesty, and takeing the citty of Ghendt in their way, there he sickened of y^e smal pox, and dyed," (*MS. Life of Anne, Countess of A.* p. 52.). He was buried at Arundel, in the vault which had just been constructed by his grandmother. *Ib.* p. 70.

To a parent so fondly attached to his family as the Earl of Arundel this must have proved a trying visitation: nor was the accession of Charles the first, a few months later, calculated to relieve his mind, by engaging him in the employments or politics of the court. By the new monarch, indeed, he was suffered to retain his seat in the privy council: at the funeral of James, he was selected to fill a place in the mournful procession; and, at the coronation, in addition to his appointment as commissioner for the determination of claims, was deputed, with the Earl of Pembroke, to exercise the royal power in the creation of Knights of the Bath.^a But these marks of distinction were intended rather as tributes to his dignity of Earl Marshal, than as testimonies of affection from his sovereign. His enmity to Buckingham was no secret: it had already estranged him, in a great measure, from court,^b and had manifested itself, on more than one occasion, in his parliamentary conduct: and it was not likely, therefore, that Charles, who was always ready to espouse the quarrels, would be willing to encourage the opponent, of his favourite. An opportunity of indulging his resentment, even in a more positive manner, was not suffered to escape. In the course of the preceding year, a matrimonial alliance had been projected between the Lord Fielding and Lady Elizabeth Stuart, daughter of Esme, Duke of Lenox. This match, however, had, by some means, been broken off; and the king, with a view, it is said,

1625.

1626.

^a Rushworth, I. 166, 167, 199. Pat. I Car. I. p. 5. dors. Anstis, Append. N^o. 80.

^b "Since your patent, the Earl Marshal is become a great stranger at the court." Letter to Buckingham, in Cabala, 129.

to reconcile an ancient feud between the families of Stuart and Campbell, availed himself of the circumstance, to offer the young Lord Lorne, eldest son of the Earl of Argyle, to the acceptance of the lady. It was at this moment, that Henry Frederick, Lord Maltravers, was introduced by his parents, the Earl and Countess of Arundel, to her especial notice. Maltravers had been long, though silently, attached to her, and the Dukes both of Richmond and Lenox, the uncle and father of the lady, had often, even during the late reign, expressed a wish for such a union. But Arundel, anxious that his son should form a wealthier alliance, had hitherto successfully discouraged the project: nor was it until he had discovered that the overtures with Lord Fielding had been suspended, and that the happiness of his son was likely to be involved in his further opposition, that he was induced to give his tardy consent, that Maltravers should “trye his fortune with the ladye that he seemed to love so well.” An opportunity was now sought to bring the young people together. In pursuance of a previous arrangement, made by the Earl and the Duchess of Richmond, the whole party met, as it were accidentally, at the house of the latter. Arundel introduced his son to the young lady, and, having taken occasion, in the course of some compliments which passed, to let her know that “if shee liked his sonne, he did not mislike her,” left them to improve their acquaintance with each other, whilst he and his lady entertained themselves with the Duchess of Richmond. When the party separated, Maltravers, who had made the best use of his time, appeared in high spirits; and Arundel, so he afterwards declared, heard no more on

the subject, until, two days later, his son, suddenly appearing before him, threw himself on his knees, and informed him that he and the Lady Elizabeth were married. Alarmed at the probable consequences of this imprudent step, Arundel hastened to convey the intelligence in person to the king. He assured him of his own innocence in the transaction, declared that the young people had acted entirely without the concurrence, and even without the knowledge, of their friends, dwelt on the youth and the affection that had prompted this ill-advised proceeding, and concluded by soliciting the royal forgiveness for their blamable, but thoughtless error. Charles was not in the mood to listen to these excuses. He ordered the whole party to be instantly arrested. Arundel he sent to the tower; the countess he confined at Horseley, a seat belonging to the Earl; and Maltravers, with his young bride, he delivered over to the custody of Abbot, archbishop of Canterbury, to be detained at Lambeth.^a Arundel was immediately

^a Most of these particulars are gathered from a MS. letter at Norfolk House, N^o. 90. The signature bears only the initials P: Cr. but the letter is evidently the production of some one of the parties concerned, and is addressed to the Earl of Arundel, for the purpose of prevailing on him to acknowledge the facts which it details. In it, the writer assures the Earl that his refusal to make any disclosures is now represented as the chief obstacle to his liberation; that the Duchess of Richmond has already confessed the whole of these circumstances; and that, consequently, whilst much advantage may result from his acknowledgments, no possible benefit can be derived from his continued silence. There is no date to the letter; but that it was written immediately after the Earl's arrest, and before the interference of parliament, is evident from the concluding words—"Let the parliam^t. free those that stande in neede of their helpe: for God's sake make not yo^r case so desperate." See also Walker, p. 213.

subjected to a series of interrogatories, which he refused to answer; and the king was congratulating himself on having the additional plea of "contempt," for prolonging the restraint of his prisoner, when he was surprised by an address from the lords, declaring the arrest of the Earl, during the session, to be an infringement of their privileges, and requesting that he might "presently be admitted to come, sit, and serve," in parliament. Charles, however, was unwilling to resign the advantage, which fortune seemed to have placed in his hands. Arundel, in addition to his own vote, possessed five proxies in the house of lords. To release him, at such a moment, when an impeachment was actually pending against Buckingham, would only have the effect of sending him back, to exercise this immense power with redoubled animosity against the favourite, and two successive messages, therefore, declared to the house, that he "was restrained for a misdemeanour, which was personal to his majesty, and had no relation to matters of parliament." The lords now became doubly clamorous. A committee, appointed to search for precedents, had decided that freedom from arrest, during the session, except in cases of felony or treason, was the undoubted privilege of parliament; and address, therefore, succeeded to address, and remonstrance to remonstrance, demanding the immediate enlargement of the captive peer. Still Charles replied only with evasions. He said that time had not been allowed him to consider the merits of the case: he assured them that he was anxious to give it his best attention: he insinuated that there were other more important charges against the Earl, than were generally known; and finally, when pressed

either to proclaim those charges, or to dismiss the prisoner, he complained of their importunity, and objected to the language of their petitions. But the lords were not to be diverted from their purpose. They first adjourned for a week, to wait the king's answer, which had been promised: and then passed a vote to suspend all business, until the Earl should be restored to his place. This resolute proceeding shook the obstinacy of Charles. He saw that it was useless to prolong the contest, with the certainty of defeat before him; he was anxious for the house to proceed to the despatch of "his great and pressing affairs;" and on Thursday, June the eighth, after three months of altercation, as wantonly as unwisely provoked, he was glad to surrender the point, and announce to the house that "the restraint of the Earl of Arundel" was removed.^a Yet, if Charles were thus compelled to yield, he was determined, at least, not to forego his revenge. The Earl was released, but a heavy fine accompanied his enlargement, and deprived him entirely of those resources, from which he had promised himself the total extinction of his debts.^b

^a Rushworth I. 363—371.

^b "Imēdiatly upon this kings comming to the crowne, he put
 "my lord into the tower, confined my sonne and his wife to one place,
 "and me to another, *and likewise tooke from him that w^{ch} king James*
 "*had given him, for many yeaes' faithfull service, w^{ch}, at that time,*
 "*would have raised a great deale;* so that I very well remember Dyx
 "(the steward) told me, that, if that money had not beene taken
 "away into the exchequer, adding it to the fines, it would, in a
 "manner, have payd the debts." MS. Letter of Aletheia, Countess
 of Arundel, at Norf. H. N^o. 398.

The following letters, written just after the arrest of the family, deserve to be inserted.^a

Lady Maltravers to the Earl of Arundel.

“ My most honourable Lord, and deare Father,

“ Howe unfortunate I take myselfe to be, that I sholde be borne to be an occasion of the least troble that hath or may befall to yo^r Lo^p, to my most noble mother, and to my best beloved, my deare lord, in whome longe since I placed my true affection and love. And were it not that I have reallie founde your noble favors farr beyonde my deseart, I sholde rather desyre death, then any other worldlie blessinge, that thereby the king's maties displeasure myght be appeased to us all. Had I manie lyves, for the love of my deare husband, and to shewe my readines to obey his will, I wolde have adventured them all, whoe shall fynde me most lovinge and most faithfull to him, as shall yo^r Lo^p, and my most noble mother, ever readie to obey yo^r pleasures. I beseech you pardon my presumption in writinge to you, and continue your fatherlie love to me, and I shall ever be

“ *From Arundell House,^b
this 6 of Februarii, 1626.*”

“ to be comāunded,
“ Elizabeth Maltravers.”

“ *To my ho^{ble} and deare Father, my Lord,
the Earle of Arundell and Surrey.*”

The Earl of Arundel to Lady Maltravers.

“ My Deare Harte,

“ I cannott be quiet tyll I heare howe you doe, and I must coniure you, by y^e love you beare your husband and us all, that you will not disquiet yourselfe, but be cheerefull, synce we have placed our greatest felicitie in your well-doinge. For his maties great displeasure I am verie sorie, but cannot doubt but he will remytt the fault of doinge it before he knewe it, since that w^{ch} is done was ever

^a MS. Harl. N^o. 1581, fol. 390.

^b From this date it appears that the young couple were not, in the first instance, sent to Lambeth.

desired by your parents and best friends, and by good kinge James himselfe. And synce you were discharged of your treatie for my Lord Feldinge, my Lord Lorne was noe otherwise but left free to seeke you, if he colde satisfie yo^r friends, and wyne your owne affection, w^{ch}, beinge extreme averse, made you hasten this y^e more, when bothe yo^r affections mett so strongly. So, my deare childe, wishinge you all blessings of heaven and earth, upon you and yo^r husband, I rest ever

“ Yo^r most affectionate ffather and servant,

“ *Tower, 5 Mar. 1626.*”

“ Arundell and Surrey.”

“ *To my deere daughter, the Ladie Maltravers, at Arundell House.*”

The death of Buckingham, in 1628, by removing the principal cause of jealousy, opened the way for a reconciliation between Arundel and the court. Charles, when the power of his favourite no longer intervened, was sufficiently aware of the Earl's influence and talents, to be sensible of the importance of securing his services; and, accordingly, we find, that advances were soon made, for the purpose of effecting that desirable object. The first mark of returning favour, which he received, was an appointment, under a royal commission, to enquire into the oppressive nature of the fees exacted in the courts of law.^a His next employment was in a matter of higher and more delicate trust. On the death of Frederick, titular king of Bohemia, a representation had been made by Sir Francis Nethersole, the resident ambassador at the Hague, that the widowed queen would not be unwilling, if it were offered, to accept an asylum in England; and it was, therefore, determined to despatch an extraordinary envoy, who might assure her of the condolence of her royal brother in her late

1628.

1631.

1632.

^a Hacket, II. 93.

misfortune, and might invite her to make at least her present abode in her native country. It was thought too that a favourable opportunity would thus be presented of communicating with the States General, on the subject of the Palatinate, and of making another effort in favour of the exiled family. Arundel, the personal friend of Elizabeth, was immediately selected for this important mission. But a difficulty seems to have occurred at the outset. The Earl was anxious that his wife, who had accompanied him when he conducted the queen, as a bride, into the dominions of her husband, should be allowed to attend him, on the present more melancholy occasion. Charles, however, resisted the proposal, and Arundel might again, probably, have retired from court, had not his regard for Elizabeth induced him to abandon his original request, and substitute the following petition in its place.^a

“ My humble suites unto his m^{tie} upon my goinge into Hollande by his com^{and}ement, w^{ch} I have readily and cheerfully obeyed.

“ First, that he will be pleased, upon all occasions, to favor my poore wife in my absence, whoe stayes behinde me, not only very much contrary to my desire and hers, but contrary to what wee promised the Queene of Bohemia heeretofore, and contrary to the practice of former times, and the expectation of the present time, that a man should be commanded to conducte a queene, and his wife not goe wth him, especially when they both went together, to attend and conducte her before; w^{ch} notwithstandinge wee obeyinge, deserves, wee hope, a gracious acceptance of his ma^{tie}, and his favor and comforte to be shewed her in my absence.

^a From the original draft, in his own handwriting, at Norf. H. N^o. 21.

“Nexste, that he will be pleased to doe y^e like to my sonne, Henry, and y^e rest of my children, and to heare bothe my wife and them favorably, in what addresses they shall have unto his m^{tie} in my absence.

“Thirdly, that, if it shall please God to take me, before my retorne backe hither, I beseech his m^{tie} to continewe the landes of Shrewsbury, w^{ch} wee nowe holde by his awarde, to my wife, that she may preferre them to y^e best for o^r children, w^{ch}, God knowes, will be the mayne stay of theyre fortune. This I conceive to agree wth what his ma^{tie} hath allready settled, and it is accompanied wth the stronger reason, both because she is heyre unto them, and, besides, wee disclayme in certainty o^r interest to a great presente estate of inheritance, for this w^{ch} dependes upon one life, and then goes to my sister of [Pembroke ?]”^a

To these requests the answer of the king appears to have been favourable, and Arundel immediately prepared for his embarkation.^b On the thirtieth of De-

^a The settlement of the estates inherited by the three coheirs of Gilbert, Earl of Shrewsbury, had been referred to the arbitration of the king some years before. Arundel, writing to his wife, in April, 1625, and speaking on this subject, says, “I shall not neede to relate
“unto you what passed betweene the kinge and my lo. of Shrewsbury
“this day, because my lord of Pembroke hath promised mee to tell
“you it, as the kinge told it us.” Orig. at Norf. H. N^o. 296.

^b The following, from the Original, at Norfolk House, (No. 334) are some of the “Directions,” which he issued on this occasion,
“to be observed by those gents. and others, that attend my lo. the
“Earle of Arundell and Surrey, his ma^{ties} ambassador into Holland,
“1632. That all due care be taken for the religious worship and
“service of Almightye God. That all men endeavor, by all good
“offices of amitie and affection one to another, to behave themselves
“wth that sweetnes and courtesie, that they may be an example to
“others, and an honor to our nation : to w^{ch} end they are carefully
“to avoid all excesse in drinke, taking tobacco, pressing of healthes,
“or any thing that may savour of rudenes or incivilitie, or giving ill
“language, or exceptious misinterpretation of wordes in the worst

1633. cember, 1632, he sailed from Margate, and, on the first day of the new year, landed at Delf. The next morning, he was introduced to Elizabeth, whom he found at the Hague: but there was an air of uncertainty and hesitation in the manner with which she received the invitation of her brother, that already induced him to augur but lightly of his success, and led him at once to mistrust the correctness of Nethersole's representations. At a second interview, these suspicions were fully verified. She was sensible of the kindness of her brother: she was anxious to avail herself of his generosity: but, in the then unsettled state of Germany, it would be unwise in her to withdraw; and, for the present, therefore, she must defer the gratification of revisiting England. With the States he was more successful; and when he sailed, on his return home, he was able to bring with him the promise, at least, of a prompt and hearty concurrence in whatever measures might be deemed advisable for the restoration of the palatine. The following is part of the official correspondence which took place on this occasion.

“ sence. That they be carefull by all meanes to avoid discourse or
“ arguments of religion or state, leaving all nations to their owne
“ lawes and customes, taking care above all thinges not to discover
“ any dissention or difference in opinion of publique or private affaires
“ at home, endeavoring to make it appeare to strangers, that all his
“ maties subjects, as they are under one king, so they are of an unani-
“ mous consent in point of religion and government.”

“ at Margate,
29th of December, 1632.”

Signed “ Arundell and Surrey.”

The Earl of Arundel to Secretary Coke.^a

“ Mr. Secretary,

“ By my last from Margate I gave you accompt of my iourney to the sea-side ; by this despatch I am to tell you that, thankes be to God, I arrived before Helford Sluce, nere the Brill, on Monday in the afternoone, and yesterday, being new-yeares day, came safely to this towne, leaving his maties shippes in a quiet and secure harbor. At my first com̃ing, I had private accesse and audience wth the queene, whome I find in good health, and somewhat comforted, after her great sorrow. But I am constrayned to loose a day, much against my genius, in the formalitie of my reception. For, com̃ing hither last night, before, it seemes, the States could take notice of my arrivall (though I sent a messeng^r expressly from aboard his maties ship, to give them knowledg thereof), this day I am so importuned by the Prince to returne to morrow to Delfe, and to be brought in by the States wth the usuall ceremonies to amb^{rs}, that, though I have done my best to decline it all I can, it being against the substantiall p^{te} of busines to spend time in circumstances, yet, since I understand it is partly the queenes desire I should comply wth them in theires, I have accordingly condescended thereunto, and therefore I forbear to inlarge myselfe any longer in this, because I intend, by my next, to acquaint y^r honor wth the p^ticulers of my reception and audience, wth the occurrents that may arise thereupon. So, wth my affectionate com̃endac̃ons I com̃itt you to God. Ffrom the Hagh, this”

Postscript.

“ The queene tells me she hath written unto the kings matie : to-morrow I intend to write againe, and upon the answeare of that despatch I conceive I shall depend for my returne. The estate left by the K. of Bohemia is all inventoried, and wilbe well answered.”

Endorsed by the Secretary,

“ 1632, 3 January.

M. of a lr̃e from my lo. Amb^r to Mr. Secretary Coke.

Sent by Jo. Rolles.”

^a From the original draft, at Norf. H. N^o. 340.

The Earl of Arundel to King Charles the first.^a

" May it please yo^r Ma^{tie},

" Accordinge to yo^r expresse commandment, and my desire, God hath favoured us wth an extraordinarye swifte and happye passage, soe as on o^r new-yeeres eve, by two or three a clocke afternoone, wee arrived safely at the Gore, from whence instantly I dispatched to the queene, yo^r ma^{ties} sister, to give notice of my arrivall, as also to Mr. Boswell : and kept yo^r ma^{ties} shipps that night, wth all my companye, till I might provide boates for o^r passage upp to Delphe, w^{ch}, next morninge, beinge new-yeeres day, wee did, and came thither, and from thence hither privately, the first house I entered beinge the queenes house, where I found her exceedingly comforted. But the greate and extraordinary demonstrations w^{ch} yo^r ma^{tie} hath made unto her of love and comfort worthy of yo^r selfe, shee tells me that shee hath written unto yo^r ma^{tie} her selfe, and that nothinge will afflict her more then, if any thinge doe arise in the p'sent coniuncture of affaires, w^{ch} may hinder her of the seeinge yo^r ma^{tie} soe soone as shee desires, w^{ch}, shee vowes, is the greatest of all comforts worldly shee can ymagine. I tell her (accordinge to yo^r ma^{ties} instructions) I am come to attend her backe, when shee is readye to make use of yo^r ma^{ties} most princely offer, w^{ch} is composed of soe much dearenes and latitude, as is only fitt for her selfe to make the election. I conceive I shall very shortly make an other dispatch, w^{ch} will give more light in the busines. In the meane time, I tell the queene I conceive yo^r ma^{tie} will not make any alteration of what you were pleased to give me in chardge, untill you shall heare from me what her ma^{tie} shall, after my arrivall (sedato animo), resolve, and then give yo^r directions uppon it accordingly. I most humbly begge yo^r pardon for these scribbled lines, espetially if I have mistaken any thinge in yo^r directions, sithence I am sure none brings a more willinge obedience to serve yo^r ma^{tie}, nor a truer hearte to pray for all prosperitie to attende you, then

" Haghe, $\frac{1}{3}$ Januarie, 1632."

" Yo^r ma^{ties} most humble and
" most faithfull subject and servant,
" Arundell and Surrey."

Endorsed by the Secretary

" 3^d Januarie, 1632.
To his sacred ma^{tie}."

^a Copy, at Norf. H. N^o. 339.

The Earl of Arundel to king Charles the first.^a

“ May it please yo^r ma^{tie},

“ Havinge nowe passed the office of condoleance wth y^e queene, yo^r sister, to her greate comforte, and extreame sense of yo^r ma^{ties} soe unusuall love and favor shewed unto her, I acquainted her wth that parte of y^e cause of my sendinge, w^{ch} was to attend her into Englande, and therfore desired to knowe her pleasure, aboute what time she would be ready to embarque, that accordingly I might advertise yo^r ma^{tie}, whoe expected her wth a desire equall to yo^r expressions ; and wthall, hasten, as farre as in me laye, the dispatch of her businesse heere. To this (as I wrote formerly unto yo^r ma^{tie}) she sayed she desired noe worldly comforte soe much as the sight of you, and should be extremely afflicted that any aspecte in y^e present coniuncture of affayres should hinder her of the instante enioyinge of it. She told me she had formerly written unto y^r ma^{tie} concerninge it. I told her ma^{tie} I was nowe sente to put in execution what yo^r ma^{tie} had before offered, w^{ch}, beinge an effecte of infinite kindnesse, yo^r ma^{tie} doubted not woulde be aunswered wth y^e like : for my parte, I was to use noe argumentes : all the service I could doe her was, to beseech her to doe what she did, upon deliberate and good advisement, in an acte upon w^{ch} all y^e world looked, and w^{ch} might be soe importante to the reste of her fortune. She hath nowe bin pleased to let me knowe certainly that she conceives her presente affayres will deny her that happines, at this time, w^{ch} she soe infinitely desires, and hopes heereafter to enioye. She promiseth me by this dispatch to write unto yo^r m^{tie} her selfe, to w^{ch} I humbly leave the reasons ; and, for myselfe, must lamente that I have not bin soe happye, as to be an instrumente in the presente meetinge of those soe greate princes, in whome soe many and stronge consideracions of reason, of affection, and of bloude, concurre mutually in y^e same ende. For the estate left by the kinge of Bohemia, I thinke yo^r m^{tie} will see a cleere and honeste accounte : but I doubte it will proove much shorte to what was expected. This beinge done, I shall have noethinge els to stay me, but the dispatch of Sr Robert Anstrudder into Germany, in w^{ch} wee have lost noe time on o^r partes ; for yesternight, as soone as y^e Prince of Orange had

^a Draft in the Earl's own handwriting, at Norf. H. N^o. 344.

brought us in, accordinge to custome, wee sent to demande audience of the States, since w^{ch} time wee have had noe answere yet ; but I hope wee shall have a soone dispatch, and then I hope in a little time to sette my selfe in order for my retorne, that I [may] have the happines to kisse yo^r royall handes. In the meane time, I shall pray for all health and happines to attend you, and will be ever

“ Yo^r m^{ties} most humble and most faithfull

“ Subjecte and servante,

“ Arundell and Surrey.”

“ When I came, I tolde S^r Fran^s Nethersole that I wondered he tooke not more care to advertise yo^r m^{tie}, by very many wayes, of a businesse w^{ch} you had soe much reason to desire to heare of, especially when I founde alteration in that, wherein I conceived he gave yo^r m^{tie} reason to thinke y^r m^{ties} offer would instantly be embraced and cheerfully made use of. He desires, this night, leave of me to write unto yo^r m^{tie} of it, in w^{ch} I badde him use his discrecion : and he pleases him selfe wth a fine distinction (as he thinkes) that he tolde yo^r m^{tie} some difficulty might p^{happes} arise in it.”

Endorsed

“ *Coppy of my letter to his m^{tie} from the Hage,*
7^o. Janu. 1632. St^o. Ang.”

The Earl of Arundel to Secretary Coke.^a

“ Mr. Secretary,

“ By my last dispatch of the third of this moneth, sent expressly to yo^r Honor, I acquainted you with my first private accesse and audience with the queene, and of some circumstances and formalities from the States, in the manner of my reception in publique, which was yesterdayes worke. So, that being past and done, with the ceremony of condoleance, I have, after larg and ample discourse with the queene, this day receaved hir finall answere concerning hir retorne into England, which is, that, with all possible expressions of thankefulnes to his ma^{tie}, shee desires to be excused, at least for some monethes, supposing that hir residence here will more conduce to the advancement and good of hir children, then hir retorne into England.

^a Copy, at Norf. H. N^o. 343.

And therefore, till the affaires of Germany may be composed (now in combustion by the present troubles) she can be unwillingly contented, for the good of hir children, to deprive hir selfe, for a time, of hir greatest worldly felicitie, the desired sight and conversation of hir dearest brother, untill it shall please God to open a way for the restoration of the peace of Germany, and settlement of hir children. But I shall need the lesse to insist upon this, referring what can be further said upon this argument to hir maties owne letter to the king, which, she tells me, she intends to write tomorrow; at which time I purpose to have audience with the States, and will do my best for the speedy dispatch of S^r Robert Anstruther hence, which, I hope, wilbe the worke of a very few dayes. The affaires of the Germane princes go fairly on, and in good probabilitie to produce good effects, the rather for that the Duke of Saxe goes on with the same pretentions to the duchy of Cleves and Juliers, as was formerly resolved on betweene the king of Sweden and himself, the rumor whereof is fearfull to the Duke of Newburgh, who, to secure his possession, endeavors to put himself into the protection of the States, but I do not heare it is accepted.

“Of the yong Duke Radzivill his ambassage hither, and his intended iourney to Bruxelles and England, I told your Honor in my last letter, but not the manner of his qualification. Hee is a yong gent. of 18 yeares of age, who, living in the universitie at Leyden, hath receaved charge, during his residence here, from the new elected king of Poland, to go on this legation. I heare that the St. Denis is come sooner then was expected, whose diligence is comendable, though there be little use of the service, for which shee was employed. By all probabilitie I may receive answeere of this pacquet before my returne: yet I shall entreat your Honor to signifie unto me his maties comands, with as much convenient expedition as may be. So, with my very affectionate comendations, &c.

“Yo^r. Ho. very assured frend,

“Arundell and Surrey.”

Postscript.

“For the newes of Germany, I have desired Mr. Boswell to write it, as also what faire professions are made in France to embrace our good cause, as I am confident you will heare from Mons^r. D'Ogier at Paris. The Duke of Arscot, and divers of his fellowes, are gone

hence for more ample comission, or instructions, and are dayly expected to returne : the event is so spoken of variously here, as in England. Neither do I find any more constant and perticuler relation here yet of the late great battaile of Lipswick, then wee had in England." ^a

Endorsed,

" 1632, 6 January. *A copie of my lo. Amb^r letter to Mr. Secr. Coke. Sent by Verano.*"

Secretary Coke to the Earl of Arundel. ^b

" Right Honorable,

" Your lordship's letters of the third, of the fifte, and of the 11th of Januarie are al safly delivered, though none of them cam hither til the 19th of this moneth. I have written two dais since, by sea, in that ship w^{ch} bringeth victuals to supplie your fleet.^c Now I send your lordship's servant, Michaeli, over land, that the winds may not give him impediment to cum unto you, before you cū away. Hee bringeth herwith his m^{ties} own letters, in answer of your lordship, w^{ch} wil give mee a iust excuse from trobling your lordship wth anie particular return of his pleasure. Besides, the expectation wee have of your speedie return hither requirs no further directions from hence. What the queen's resolutions are, what advice the Prince of Orenge and the states have given to assist S^r Rob. Anstruther in his negotiations, and how the treaties then advanced, and what respects are born to us, your lordship wil relate in p'sence. And wee hope S^r Rob. Anstruther is, by this tyme, on his iourney, fully instructed in al

^a It was fought September the seventh, 1631, between Gustavus Adolphus, king of Sweden, and the imperialist forces under the command of the celebrated general Tilly. The latter were routed, and Gustavus pursued his victorious career through Franconia and the Palatinate. An official account of the battle may be found in Rushworth, II. 108. ^b Orig. at Norf. H. N^o. 354.

^c The letter here mentioned is in the same collection, N^o. 352 : but contains nothing more than a simple acknowledgment of the Earl's despatches, with an intimation that he is to return as soon as he has discharged his commission.

things from thence, though hee hath not as yet acquainted us wth the particulars. This give mee leave to signifie to your lordship, that, by the proceedings of the states ambassadors here, by their manie violences offred to his m^{ties} subiects at sea, and by that I heare from thence, I have cause to suspect that they either grow ielous w^{thout} cause, or plant their interests sum where els, or il offices are donne to alienate their minds from that good understanding, w^{ch} hertofore they have desired, and were fit for the advancement of the service of both states. This I make bold to write, that your lordship may bee pleased to observe them, in their waies, and in their ends ; w^{ch} I know you wil do, according to that wisdom for w^{ch} you are honored. More I wil not add, save only this assurance, that you have, by the testimonie of al that cum or write from thence, donne his m^{tie}, and the state, and yourself that honor, and given that great satisfaction, w^{ch} answereth to expectation, and to your true merit. Pardon my boldness, and favour mee wth beleeving that I am

“ Your lordship’s faithful and humble servant,

“ *Whitehaule,*
20 Janu. 1632.”

“ John Coke.”

“ Right honorable. At the making up of this l^re, the Lord Goring cam to court, w^{ch} made mee stay your servant til hee had spoken wth the king. But his coming hath made no change, and therfore, by his m^{ties} com^{and}, I now send him away, wth my best wishes for his safe and speedie passage ; but espetially praying for your lordship’s happie success in your business and return. Pardon mee that I add these few woords, though out of order : That, howsoever the states there, and the prince himself, may p^{tend} to your lordship that they are werie of the warre, and wil have peace or truce, and, uppon this grownd, wil press his m^{tie} to some declaration to their advantage, w^{ch} they do not express what it is, yet, for my part, I beleieve they are resolved to have no peace or truce w^{thout} exclusion of the Spaniards. I leave it to your lordship’s wisdom how to draw them to a cleare discoverie of their intentions towards us : and whether they wil proceed to a sharing of the Archdutches countrie wth the French, and allow us no part.

“ *For yo^r Lords.*

“ J. C.”

Sir Robert Anstruther to the Earl of Arundel.^a

“ Right hono^{ble} my verie good Lord,

“ I thank yo^r lord^p for y^e welcome l^re you honored me wth all, of the 25th, whereby I understand the papers Mr. Boswell sent are safe come to yo^r hands, of w^{ch} I am exceeding glad, as also of the safe returne of y^e sweete princes to this place, where they do liberally divulge y^e great honor yo^r lo^p did them, and do much admire his mat^{ies} shippes, and their equipage, wishing (wherein I do also most hartely concurr) unto you a faire wind, and a prosperous voyage.^b I have receaved the paper of remembrances, mencōned in yo^r l^re, from Mr. Boswell, whereof I will use my best endeavour to give yo^r lo^p an acceptable accompt. From Germany o^r last advices beare (inter alia) that y^e administrator, having of late sent his deputez unto Chancellor Oxenstern,^c to treat about the restitucōn of the peeces he deteynes in y^e Palat., hath receaved a faire answere, namely, that he intends not to keepe them from y^e owners, but will be ready to restore them upon reasonable termes, whensoever he shall see any on o^r parte able to receave them, and to secure them from y^e intrusions or surprises of the com^{on} enemy. This gives me good hope that I shall not find y^e Swedes so costive as was feared. My departure from hence wilbee very speedy, but if, in y^e meane time, any thing shall come to my knowledge worthy of yo^r Lo^p, I will hold you carefully advised. Herewth, humbly kissing yo^r hands, I take leave, resting

“ Yo^r Lo^{ps} most humble servant at com^d.

“ *Hage, 28^o Jan.^y 16³²₃*”

“ R. Anstruther.”

^a Orig. at Norf. H. N^o. 357.

^b The princes to whom he alludes were Charles and Rupert, the sons of the Queen of Bohemia. They accompanied Arundel to his ship, when he embarked on his return to England, and afterwards wrote him a joint letter of acknowledgment for his kindness to them on that occasion. It is in the collection at Norf. H. N^o. 367.

^c He was chancellor, and first minister of state to Gustavus Adolphus, king of Sweden. After the death of that monarch, he became director-general of the kingdom, and was subsequently one of the five guardians of the infant queen Christina.

"I am in good hope to get from the Prince of Orange some moore particular and satisfactorie answer, of what the estaites will doe (I meane contribut with his maiestie), if so it be that ther must be ane armye kept in the Palatinat. And, in regard they heere doe presse to knoe what his maiestie will doe, I am freer with the Prince of Orange alone, and I finde him well disposed, and particularlie doeth expresse his greate respect unto your lordship, and so doeth the deputez."

Endorsed by the Earl,

"*S^r Ro. Anstruther to me. Janu. 1632, St^o. vet.*"

Elizabeth, Queen of Bohemia, to the Earl of Arundel.^a

"My lord,

"Your letter was verie welcome to me,^b and I hope you will follow the good example of this lord, if the winde holde as it doth. In the meane time, I give you manie thanks for your care of my two boyes, and the honnour you did them, in there being with you. I ame glade Charles had so much witt to avow himself in his uncle's dominion, when he was in the ship, and that Rupert was so desirous to be there: for if they doe not, as long as they live, desire to serve that deare brother of mine, and love him, and all that is his and my countrie's, I will never acknowledge them to be mine. Jacob Asheley did diliver me your message, which I thank you for. This day I spoke with the Prince of Orenge, and, by way of discourse, in-treated him to help Robin Anstruther to a good dispatch from the states, which he promiseth faithfullie to doe all he can for it. I then asked him what he thought of the treatie of the truce, for yesterday

^a Orig. at Norf. H. N^o. 366.

^b The letter referred to is at Norf. H. N^o. 353. It is a complimentary epistle, written on board the Victory, and sent to the queen, when the young princes returned from the ship. Amongst other things, Arundel says that "the prince elector (Charles) observed, as soone as he was in the shipp, that nowe he was in part of his unkle's dominions; and prince Rupert hartely reioyced when he came in sight of them, and would needes helpe to rowe." The letter is dated Helvoetsluys, Jan. 26, 1633.

they mett with those deputies. He saide he knew not what to make of them, for they shew but an ould power they had from Spaine, of five yeares standing, and he did not beleeeve that it woulde be, this yeare at the least, a truce, or it may be never : he thought they onelie desired to draw on time. This is all I can learne of that business : but he assures me that the states will not forgett my children's interests, whither there be a truce or not. This day he was at dinner, with Count Henry of Berg, and the Count of Cullenbourg, at Count Pompeg's. The little squinting Paun was with them : they had a better feast then that the little Paun made you. Bruder Henry and the good Floris were blowen, the Prince told it me. The Viscont de Turenne was there. The extraordinaire French ambassadour, Charnasie, is alreadie come to Mastrict : they looke for him heere everie day. The letters of Collein are not yett come. This is all I have to say, onelie that I ame most constant in being ever

" Your most affectionat frend

" Elizabeth."

" The right reverend Mister Quirke goeth to morow to visite your frends at Leiden."

" *The Hagh, this 6 of Februarie, St^o. N.*"

" *To the Lord of Arundel.*"

Endorsed by the Earl,

" *Q. of Bohemia to me. 6 Febr. 1633. St. N^o.*

The States General to King Charles the first.^a

" *Au roy de la Grand Britagne,
le 31 de Janvier, 1633.*

" Sire,

" Comme nous eusmes tres agreable la lettre qui (*sic*) nous presenta de la part de vostre majesté le Seig^r Comte d'Arundel, envoyé par deça pour vostre ambassadeur extraordinaire, lors qu'il arriva en ceste cour, nous ne l'avons pas voulu laisser retourner, sans tesmoigner a vostre majesté, par ceste, le grand contentement qu'il nous a laissé de sa sage et prudente conduite, sur les affaires qui se

^a Copy, at Norf. H. N^o. 369.

sont présentés es conférences tenues entre luy et les deputez du corps de nostre assemblée. Vostre ma^{te} entendra, par sa vive voix, ce qui est de nos bonnes et sinceres intentions sur les choses publiques, et l'affection particulière que nous portons au service de vostre majesté, et a tout ce qui peut servir du bien et conservation des affaires d'Allemagne en general, et de Palatinat electoral en perticulier : asseurants vostre ma^{te} que nous aurons a grand honneur de pouvoir demonst^rer, en toutes occasions, les effects de nostre gratitude. Sur ce prions Dieu. Fait le 31.^e de Janvier, 1633."

Endorsed,

" Copie de lettres des Estats Generaux des Provinces Unies, au Roy de la Grande Bretagne. Datée le 31^{me}. de Janvier 1633, St. Novo. de la Hage."

Arundel returned to England in the early part of February, and, on his arrival at court, was received with marks of unusual cordiality by the king. His conduct, indeed, in the negotiation confided to his management, had given the highest satisfaction. Coke had already written to assure him of the "honour" which he had done both "to the state and to himself:" the lord treasurer, Weston, had told him that his "journey had been of more use to settle the minds both of the king and his sister, than was foreseen;"^a and Charles himself, when the Earl appeared before him, was not backward either in acknowledging the value of his services, or endeavouring, by the warmth of his reception, to secure a continuance of his attachment. In the following June, he summoned him to attend the coronation in Scotland: at the same time, he created him chief justice in eyre north of Trent; and, a few months later, despatched him, as a member of the privy council, on

^a Orig. at Norf. H. N°. 350.

1636. some important business to Ireland.^a Nor were his diplomatic talents forgotten by the king on a subsequent occasion. In 1636, the affairs of the Palatinate were still unsettled, and the war, which, during so many years, had continued to desolate Germany, was still raging, when the emperor, Ferdinand II., whose son had already been elected king of Bohemia, resolved to assemble a Diet, for the purpose of adjusting some immediate and effectual measures towards the pacification of the empire. Information of this event was immediately forwarded to the English court, by its agents at Vienna; and an intimation was made to accompany the intelligence, that, if an envoy of influence and talent were accredited from this country, to meet the emperor at the Diet, some arrangement favourable to the interests of the exiled palatine might probably be effected. Charles willingly listened to the suggestion: proposals were drawn up, to be laid before the emperor; and Arundel was invested with full powers to treat with him on the subject of the Palatinate. At the end of March, 1636, the Earl embarked on his new mission. He landed in Holland for the purpose of conferring with the States; remained a few days at the Hague,

^a Pat. 9 Car. 1. p. 1. Walker, 214. The Earl of Strafford, writing to Arundel, in March, 1633, says,—I am rejoiced that you have been appointed by the king “to consider the propositions transmitted by me hence, concerning the affairs of this kingdom (Ireland), in regard I promise myself they shall be returned back hither much bettered by your wisdom & counsell.” In another part of the same letter he adds,—“I beseech your lordship, as one not well experienced in these great affairs, that you will express your accustomed favour to me, by privately shewing my errors in any thing that shall chance to escape me.” Strafford Papers, I. 223.

where Elizabeth still kept up the appearance of a court,^a and, passing thence along the Rhine, through Cologne,

^a The following, preserved at Norf. H. (N^o. 16.), is the account which he has left of his reception at the Hague.

“ Upon my setting forth, I sent one of my servants before, with a
“ list of my traine, to take up lodgings, and make provisions propor-
“ tionable. I was no sooner arrived att Rotterdam, but the States
“ sent unto me Mons^r Mortagne, master of ceremonies, who attended
“ and defrayed me from my arrivall there, untill my comming to the
“ Haghe, & furnished me wth boates for my traine & baggage. Most
“ of the English officers came to meete me att Rotterdam, and after-
“ wards att Delfe, where I stayed but one meale, and was defrayed by
“ the English marchants.

“ Att Riswick (3 miles from the Haghe) the Prince of Orange,
“ with some of the States, mett me (with a good number of coaches
“ which the amb^{rs} and persons of quality had sent for my reception)
“ and conducted me to the house appointed for the entertainment of
“ amb^{rs}, where I was defrayed 4 dayes.

“ The first night of my entrance att the Haghe, I went privatly
“ to the Queene of Bohemia’s court, to kisse her ma^{ties} hands. That
“ afternoone, the amb^{rs} and publique persons sent their secretaries
“ unto me, to passe a compliment, and congratulate my arrivall. The
“ next day, I returned them thanks, by my secretary, both for the
“ hono^r they did me in sending their coaches to receive me, and for
“ their visit and congratulation by their secretaries, wth some such
“ like compliment; wherein I observed this order, to begin first wth
“ the French, and so wth the rest, in their rankes.

“ The ambassadors are neither visited by publique persons, nor
“ give any visits, untill their publique audience be past. Before my
“ publique audience, I sent one of my servants to the President of
“ the counsell for that weeke, to know what tyme the States would
“ be pleased to appoint me; & that having beene determined, two of
“ the States came to my lodging, tooke me in their coach, and brought
“ me to the assembly, where I delivered my l^re of credence to the
“ States, & demanded commissioners to treat wth me; the rest being
“ only ceremonies & formalities. After my audience, I was brought

Mentz, and Frankfort, arrived at Nuremberg, on the twenty-first of May. In this neighbourhood he had been promised an interview with the king of Hungary; but that prince chose to disappoint him. After a short interval, therefore, given to repose, and to the gratification of his curiosity, among the various collections and works of art which adorned this city,^a he continued his

“ back to my lodging, in the same manner, with divers other coaches
“ & gentlemen.

“ That afternoone, I visited the Prince of Orange, delivered him
“ my letter of credence, & acquainted him in generall with the sub-
“ stance of what I was to treat wth the States commissioners (for
“ that it is usuall by him to make entrance into the affaires that are
“ to be negotiated wth the States), and from thence I visited the
“ Princesse of Orange. Att my first publique and private audiences
“ wth the States & Prince of Orange I tooke his mat^{ies} agent wth me.

“ The lady Elizabeth, by all those that frequent her court, is called
“ Queene of Bohemia, and consequently is stiled ‘ yo^r mat^{ie};’ the
“ yong princes & princesses, ‘ vostre Altesse;’ the Prince and Prin-
“ cesse of Orange, ‘ vostre excellence;’ all ambassadors, ‘ vostre ex-
“ cellence.’ To the German counts the title of excellence is given
“ but once.”

On the back of the above paper is the following memorandum.

“ The principal men amongst the States general.—Paw, the advocate
“ of Holland; Haffold and Beaumont of Zeland, confidents of the
“ Prince of Orenge; Bucherst, trusted by the prince; Vosbershin,
“ hath been much employed, but not in the prince his favor. The
“ rest to bee well used, but not of such consideration as these above
“ mentioned. Arsens, opposite to the prince.”

^a Among other things, which he purchased on this occasion, was the library of Bilibaldus Pirckheymer, councillor of state to the emperor, Charles V. (Walker, 215.). It is said to have belonged to the collection formed by Matthew Corvinus, king of Hungary, at Buda, in 1485; and, at his death, in 1490, to have passed into the possession of Pirckheymer (Birch, Hist. of Royal Soc. II. 136, note.). In con-

route towards Ratisbon, where the Diet was expected to assemble in June. But the electors had not yet begun to arrive; the meeting, it appeared, was altogether uncertain; and, as the emperor had agreed to see him at Lintz, he determined at once to proceed down the Danube, and open his commission with that sovereign. By Ferdinand the ambassador was received with every demonstration of personal respect: to the demands, however, of the English monarch he could obtain only evasive replies, accompanied with obscure allusions to some future and contingent arrangement, to be made at the ensuing meeting of the Diet; and, unwilling, therefore, to prolong a hopeless suit, he took his leave of the imperial court, and continued his journey to Vienna. The summer was passed in visiting Augsburg, and other cities in the south of Germany. In the autumn, the states assembled: but other objects engrossed their attention; the demands and the proposals of the Earl were equally disregarded; and, at the end of three months from the opening of the Diet, he had the mortification to return, without having accomplished any thing for the object of his mission. He landed, December 27, 1636.^a

June 8.

July 3.

sequence of the late negotiation between the trustees of the British Museum, and the directors of the Royal Society, it has now become the property of the nation.

^a Walker, 214, 215. Rushw. II. 334, 335. Clarendon Papers, I. 514—701, where, in addition to a journal of his proceedings from May 2, to June 29, there are numerous letters from himself and his secretary, Mr. Taylor, to Windebank, giving a full account of the object and progress of the negotiation. See also Crowne's "True relation of the travels of Thomas Earl of Arundell, E. M. Ambassador Extraordinary," &c. Dugdale, in a letter to Sir Simon Archer, says,

During two years, Arundel seems to have enjoyed a retirement, more congenial to his peaceful and elegant pursuits, than the turbulent and ambitious career of public life. But the period was approaching, that was to summon him to more tumultuous scenes. The hostile demonstrations of the Scottish covenanters had already admonished the king of the necessity of opposing force to force; and, in December, 1638, orders were issued for the mustering of the trained bands of the several counties, and the collecting of an army, to march immediately towards the Scottish borders. The command of this force was given to the Earl of Arundel:^a but the English were backward in espousing a cause, which many deemed unjust, all considered impolitic; and three months had elapsed, before the general was able to assemble his troops in the neighbourhood of York, where Charles was waiting to receive them. At length, however, the preparations were complete, and Arundel, at the head of twenty thousand foot, and three thousand horse, advanced, in company with the king, towards Berwick. But the resolution of Charles disappeared that the Earl had returned to England in November: but this is clearly an error. Hamper's *Life and Correspondence of Dugd.* p. 160.

^a Lord Clarendon's remarks on this appointment offer a fair specimen of that writer's feelings towards the Earl. The king, says he, "chose to make the Earl of Arundel his general, a man who was thought to be made choice of for his negative qualities. He did not love the Scots; he did not love the Puritans; which qualifications were allayed by another negative, he did not much love any body else. But he was fit to keep the state of it, and his rank was such, that no man would decline the serving under him." *Hist. Rebell.* I. 91.

before the religious enthusiasm of his opponents. His confidence was suddenly converted into alarm: the operations of the assailant gave place to measures of defence: and an intimation was conveyed to the Scottish camp, that the sovereign was not yet unwilling to listen to terms of accommodation. The covenanters, anxious to avail themselves of these pacific dispositions, immediately despatched four commissioners to the English quarters. They were received in the tent of the Earl of Arundel: the conditions, which they were instructed to demand, were separately debated; and, on the eighteenth of June, the "Declaration," upon which the pacification of Berwick was founded, was signed in the presence, and by the desire, of the king. A few days later, the army was dismissed, and the Earl resigned his military command.^a

Arundel had long been an object of dislike, and even of persecution, to the influential ministers of Charles.^b It is scarcely surprising, therefore, to find, that, although the monarch had testified his sense of the Earl's conduct in the late northern expedition, by making him lord high steward, in the following April, yet, on the re-assembling of the army, in August, his services were dispensed with, and the Earl of Northumberland was invested with the supreme command. At the same time, however, to make this proceeding less ungracious, Arundel was nominated captain general of the forces south of Trent; and, on the sixth of September, was included in the commission appointed to direct the

1640.

^a Rushw. II. 790—797, 818, 835—838, III. 921—946.

^b See an instance complained of by the Earl, in a letter to secretary Windebank: Clarendon Papers, I. 597.

affairs of government, during the king's absence in the north.^a

1641. In March, 1641, the trial of the Earl of Strafford commenced. Arundel, as lord high steward, was called on to preside, and was afterwards joined in commission with the Earl of Manchester, and two other lords, to declare the royal assent to the bill of attainder against that unfortunate nobleman.^b His conduct, during the whole of this melancholy proceeding, was such as to call forth the approbation even of Strafford's warmest friends. Charles alone seems to have been dissatisfied. The violence which he had been compelled to offer to his

^a Clarend. Rebell. I. 105. Rushw. III. 989, 1243, 1256, 1265. Walker, 218. In the MS. Life, p. 20, the last writer says, that Arundel, on his return to London from the northern expedition, in 1639, was excluded "respectfully" from the cabinet. But he is evidently mistaken; for the name of the Earl Marshal is affixed to almost every order in council from August 25, 1639, to Sep. 16, 1640. Rushw. III. 967, 980, 1092, 1097, 1173, 1190, 1191, 1192, 1203, 1270. It was, however, about this time, that he conceived the design of colonizing the island of Madagascar,—a scheme, which appears to have found many supporters, and for the accomplishment of which a sum of £2500. was actually subscribed. The original deed of agreement, between the several parties concerned, is among the Harleian MSS. N^o. 1583, fol. 81. It is to this circumstance that Vandyck has alluded, in his painting of the Earl and Countess, in which the former is represented as resting one hand on the globe, and, with the other, pointing to the island of Madagascar. This painting, which was in the collection of the late Duke of Dorset, has been engraved by Vosterman.

^b Rushw. VIII. 101, 755. Walker, 218, 219. It was during the progress of this bill, that Arundel attended as high steward at the marriage of the princess Mary to William, Prince of Orange. The prince resided, whilst in England, at Arundel House. See the account of the marriage in *Lel. Collect.* V. 337—351.

conscience, in the sacrifice of Strafford, had disposed him to quarrel with those amongst his friends, who, in the course of the late trial, had failed to display the ardour and the vehemence of partisans: and it may, therefore, have been, that the grave and dignified demeanour of the lord steward had disappointed the expectation of extravagant and indiscreet zeal, which his master had been weak enough to form.^a Be this, however, as it may,

^a Mr. Dallaway, though he does not distinctly mention Charles's dissatisfaction, seems inclined to account for it, by informing us, both in the text and in the notes (R. of Arund. 171, N. E.) that Lord Mowbray, the Earl's son, voted against Strafford in the house of lords. For the proof of this assertion he refers to Walker: but it unfortunately happens that Walker directly contradicts it. "Afterwards," says that writer, "the commons prepared a bill of attainder against him (Strafford), and passed it: so did the lords, where, I believe, this Earl was not present; *I am sure his son, the Lord Mowbray, now Earl of Arundel, gave his negative*" (Hist. Discourses, 219.). Mr. Dallaway also speaks of a misunderstanding between Arundel and Strafford, which is said to have originated in a claim, preferred by the former to an estate in Ireland, and opposed by the latter; and he appeals, for his authority, to the Strafford papers. There are five letters in the Strafford collection, on the subject of this property; and from these it appears, that the lord deputy was the confidential friend of Arundel, that, so far from opposing his claim to the estate in question, he anxiously endeavoured to forward his views, but that, in consequence of the Earl's reserve, of the misconduct of his agents in Ireland, and of the unreasonable nature of his wishes, Strafford was left without proper instructions, and the crown commissioners refused to issue the grant. It is true that Arundel blamed Strafford for this decision: the latter, however, in a letter dated August, 1636, explained the circumstances to his friend, and the countess, in the absence of her husband, replied by thanking him for his attention to their interests, and expressing her undiminished confidence in him. Strafford papers, I. 232, 415, II. 3, 29—32.

Charles complained, and Arundel immediately resigned the staff of lord steward: whilst, the former, as if in resentment, ordered the Earl to attend the queen mother (Mary of Medici), in her passage into Holland, and “to remain beyond the seas during pleasure.”^a By the middle of October, however, he had returned to England. But his health was sensibly declining,^b a cloud was gathering over the destinies of his country, and he gladly availed himself of the opportunity of conducting the princess Mary to her husband, the Prince of Orange, in order to retire from the approaching conflict. At the latter end of February, 1642, he embarked at Dover, in company with the queen and her daughter, the young princess.^c It was his last adieu to the land of his nativity. During the few remaining years of his life, he continued abroad, retired from the cares and the ingra-

^a Walker, 219. Sanderson, apud Rushw. IV. 317, 318.—Evelyn, in his Diary, says,—“1641, Oct. 8,—With a coach and six horses, which carried me from Bruxelles to Gant, where it was to meet my lord of Arundel, Earle Marshal of England, who had requested me, when I was at Antwerp, to send it for him, if I went not thither myselfe At five that evening, we were met by the magistrates of Bruges, who came out to convey my lord to his lodgings, where he was entertayned that night at their cost.

“Oct. 13.—Gravesend, where a light-horseman (as they call it) taking us in, we spent our tide as far as Greenwich. From hence, after we had a little refreshed ourselves at the colledge (for, by reason of y^e contagion then in London, we baulked the inns), we came to London, landing at Arundel stayres being about two in the morning.”

^b “I am sorry to understand that the Earl Marshal should grow every day more and more infirm.” Letter of Vane to Windebanke. Hardwicke Papers, II. 173.

^c Walker, 219, 220. Rushw. IV. 556^a. 558^b.

titude of the world in the bosom of his family, or pursuing that relaxation in France, Italy, and the Netherlands, which his accomplished taste in the fine arts afforded him.^a Yet he was not forgetful of the necessities of his sovereign. Whilst his son, Lord Mowbray, was lending his personal exertions in the royal army, the Earl himself was endeavouring to promote the cause of the falling monarch, by other, not less serviceable, means. He remitted money for the relief of the king at home: he purchased arms and ammunition for the use of his followers: he procured intelligence for the direction of the royal movements: and, on these various objects, expended a sum of not less than fifty-four thousand pounds.^b These services at length extorted from the ingratitude of Charles a tardy and reluctant reward. To a petition signed by sixteen peers, which he had presented to the king, in 1641, praying to be restored to the ducal honors of his grandfather, an evasive answer had been returned: decency, how-

^a Walker, 219, 220.

^b Lloyd's loyalists, 285. The whole of this money, however, must have been borrowed: for, whilst his agents in England, from a rental of more than fifteen thousand pounds, which they received, were remitting him something less than the annual sum of £500., he and his countess were compelled to sell or pawn a great part of their jewels, for the mere purposes of subsistence, (Account of the proceedings between the dowager Countess of Arundel and her son, fol. 18, MS. at Worksop Manor). Yet, it is of this circumstance that Evelyn maliciously says, what the world has long been taught to believe, that "Thomas, Earle of Arundel, had a very rich collection, as well of medals, as of other intaglias, which, with innumerable other rarities, have been scattered and squandered away by his countess, when she got that treasure to Amsterdam, whilst my lord was in Italy, where he died." Vol. II. p. 278.

1644. ever, now required some attention to the request; and Charles, unwilling to be too prodigal of his favours, ordered a patent to be made out, creating him Earl of Norfolk, as the lineal desendant of Thomas de Brotherton, Earl of Norfolk, a younger son of king Edward the first. It was dated at Oxford, June 6, 1644.^a

1645-6. Arundel, though he lived to receive, did not long survive, this last token of ungracious kindness. His health, indeed, though delicate, offered no indications of an immediate dissolution; and, in the hope of re-establishing his strength, he had already retired to Padua, where, during several months, he continued to relax his mind, in the society of many of his more intimate friends.^b The flattering effects of the climate soon induced him to think of resuming his usual occupations. He was even making arrangements for returning to England, when he was suddenly seized with an alarming illness, which, in the course of a few weeks,

^a Pat. 20 Car. 1. The petition, with its signatures, is printed by Collins, I. 119.

^b Evelyn, in his Diary, thus describes the conclusion of his last interview with him. "1646, March 23. It was Easter Monday that I was invited to breakfast at the Earle of Arundel's. I took my leave of him in his bed, where I left that greate and excellent man in teares on some private discourse of crosses that had befall'n his illustrious family, particularly the undutifullnesse of his grandson, Philip's turning Dominican friar, and the miserie of his cuntry, now embroil'd in civil war. He caused his gentleman to give me directions, all written with his owne hand, what curiosities I should enquire after, in my journey; and so, enjoyning me to write sometimes to him, I departed." Of the family 'crosses' here mentioned, the most likely to have engaged his attention was undoubtedly the afflicting malady of his grandson, Thomas, afterwards Duke of Norfolk. See his life, post.

terminated fatally. He died at Padua, September the twenty-fourth, 1646, in the sixty-second year of his age, and was shortly after conveyed to England, and buried in the sepulchral chapel at Arundel.^a The tomb, however, which he had designed for himself, was never erected: and the epitaph, which he had composed, was superseded by an inscription written by his librarian, Francis Junius, and placed by his executors upon his coffin. It will be found in the account of the collegiate chapel.^b

^a Walker, 221. Dugd. Bar. II. 277. Before the body was removed, his bowels were deposited in a grave, near the north wall of the cloisters attached to the cathedral of Padua, where a plain slab of blue stone still bears the following inscription:—

“ Hic jacent interiora Thomæ Howardi, ill^{mi} et ecc^{mi}. Comitis et Dom̃i Arundelliae et Surriæ, magni Mariscalli Angliæ. Obiit. a^o. Dni. MDCXLVI., Patavi.”

^b The epitaph which he wrote for himself is in his will, whence the following passages are extracted. Having provided for the payment of his debts from the produce of the lands already conveyed to the Earl of Middlesex and others, to be sold for that purpose; having given all his goods to his dear wife, and bequeathed to each of his two sons, their wives, and each of his grandchildren, “ one hundred pounds a peece, for some peece of plate to remember” him, he says, “ I desire that the place of my enterment may bee Arundell, without any funerall pompe. That my tombe bee my owne figure (of white marble, or brasse, designed by Sign^r Francesco Fanelli) sitting, and looking upwards, according to the last clause of the epitaphe (‘ cælestia tandem spiritu exultans quæsivit’), leaning upon a lyon holding an escochion, upon which the epitaphe to bee engraven, and, at the feete, the marshall’s staffe with a cornett, or the like.

“ I doe desire allso that a figure of marble might bee made for my eldest and dearest sonne, James Howard, with some short latine epitaphe, testifying the truth of him, that God never gave to any of our ffamily of so tender yeares a greater proportion of virtue, learning, witt, and courage, then to him.

Thomas, Earl of Arundel, owes but a small portion of his fame to the actions of his political life. His cele-

“ I desire an onely sister, who is buried there, might have some memory of her great virtue for I desire persons of our ffamily, beeing of so eminent virtues as these were, and dyed about the age of ffifteene, might have record left worthy of them.

“ I desire also that some house might bee built upon our ground neere the churchyard at Alebury, where six honest unmarried men might bee honestly and well fedd and cladd, and have good com̃oditie of bookes to study with, and convenient roomes to make all distillations, phisickes, and surgerie, to bee given for ever to the poore for charitie, and no money to bee taken for it : for the number of six I name in gratitude to Almighty God; who gave six sonnes to my deare wife and mee ; and I desire either the parsonage of Finchingfield, in Essex, where I was borne, may bee employed to that use, or some other land, worth, at least, £200. per annum, may bee assured to that use, for I would by no meanes have them live upon pensions. I would have all their cloathes ash-coloured : as also I could wish (if it might bee) those of my family might mourne for mee onely in ash-colour, in respect it is the colour of ashes, into which my flesh is to dissolve.

“ I desire also Howard's chappell at Lambeth may have some little cost bestowed upon it, and kept still for our ffamily, both to heare sermons there, when they shall think good, and to deposite the dead bodyes of such of our ffamily as shall be caryed to Alebury, and so to Arundell. And if I had beene able, I would have built a new church at Alebury, and a little chappell to deposite dead bodyes, as is said before.

“ I desire great care to bee had for collecting all the materialls for an history to bee written of my noble auncestors, whereby their good memory may bee preserved, and those that shall succede may bee invited to bee virtuous, or, at least, ashamed to bee vitious.” MS. Harl. 6272, f. 26—31.

The will is dated at Dover, September 3, 1641. Perhaps the disputes, of which, as the reader will see, it afterwards became the subject, were one reason why none of these desires, with the single exception of his interment at Arundel, were ever fulfilled.

brity is chiefly founded on his patronage of the arts, and on the taste, which he introduced, for the works, and models of antiquity. “He was,” says Walpole, “the first who professedly began to collect in this country.”^a Until his example awakened the emulation, and formed the taste, of his countrymen, the beautiful productions of the Greek and Roman chisel were little known, and less valued, in England; whilst the genius, that had long adorned the foreign schools of painting, had obtained but a small and casual encouragement amongst us. By means, however, of his persevering exertions, a revolution was accomplished, which laid the foundations of whatever excellence the arts of sculpture and painting have since attained in this country. In Greece, in Italy, in Germany, and the Netherlands,—wherever, in Europe or in Asia, there was a probability of discovering a curious relic of antiquity, or a valuable specimen of art, his agents were constantly employed. As the various consignments were landed, they were placed in the gardens or the galleries of Arundel House: the learned flocked from every part to survey them; their inscriptions were deciphered and published; and the fame of the collector rang so loudly through the country, that king Charles himself became ambitious of sharing in the honour, and resolved to stand forward as the friend and patron of the arts.^b The collection, thus formed by the Earl, amounted, when entire, to more than four hundred busts, statues, and inscribed stones, exclusive of books, paintings, and the valuable gems,

^a Anecdotes of Painting, II. 72.

^b Chandler, *Marmora Oxoniensia*, Præf. pp. i, ii.

since transferred to the possession of the Duke of Marlborough.^a

Nor is it merely as a collector, that the name of the Earl of Arundel is emblazoned in the annals of the arts. He was the friend of learning, and the patron of genius, wherever he discovered it. Possessed of that correct architectural taste, which had formed itself on the beautiful models of ancient Rome, he was one of the first to discern, and the most forward to encourage, the rising talents of Inigo Jones. He was the friend of Cotton, of Spelman, of Camden, and of Selden: he brought Hollar from Prague, and established him in this country: Francis Junius, and Oughtred he em-

^a Of the inscribed marbles, now generally known as "the Arundel Marbles," only one hundred and thirty-three, out of two hundred and fifty, escaped destruction, during the civil wars; and of these many were mutilated, and otherwise injured. The famous Parian Chronicle was broken, and one, fortunately the smaller, portion of it employed to repair a hearth-stone at Arundel House (Chandler, *Syllabus ad Marm. Oxon.* p. xi.). The reader, who may be interested in the subject, will find an account of the destruction, or dispersion, of this magnificent collection in Walpole's *Anecdotes of Painting*, II. 72—76, and in a curious letter from James Theobald, Esq. to Lord Willoughby, inserted in the *Howard Anecdotes*, p. 101. It may, however, be added here, that the "Pomfret Marbles," presented by the Countess of Pomfret to the university of Oxford, in 1755, originally formed part of the same collection, and were purchased, by the father of the first Earl of Pomfret, from "the divorced Duchess" of Norfolk, for £300. They are one hundred and five in number, and consist principally of busts, and statues, without any inscriptions (Chandler, *Præf.* p. iii.). By what means the Duchess obtained possession either of these, or of the gems, which passed from her to their present possessor, is not known. See also Dallaway's *Anecdotes of the Arts*, p. 235, et seq.

ployed in his own house, the former as librarian, the latter as mathematical preceptor to his son: and there was scarce an artist of ability, or a scholar of eminence, either here or on the continent, who had not some reason to be grateful to the liberality of his disposition. Yet, with all this fondness for learning, the scantiness of his own literary acquirements seems to have offered some ground for the angry censure, which Lord Clarendon passes on his ignorance. Even Walker acknowledges that "he was more learned in men and manners than in books;" and it will not, perhaps, be unfair to conclude, that his biographer has summed up his whole merit, as a scholar, when he says, that "he understood the Latin tongue very well, and was master of the Italian."^a

It has seldom happened that the character of the same individual has been portrayed in such opposite colours as that of Thomas, Earl of Arundel. By Lord Clarendon, his personal enemy and political opponent, he has been described as a man of proud and arrogant demeanour; ambitious of a reputation for knowledge which he never possessed, destitute of all literary acquirements, extravagant in his habits, affected in his manners, and devoid of every solid principle of religion.^b By Walker, on the other hand, he is represented in the most engaging form. The zealous "assertor of the splendour and greatness of the crown," as well as of "the ancient honour of the nobility and gentry," he was, in the opinion of that writer, not less respectful in his carriage towards the sovereign, than rigid in his demands of deference from his inferiors. In council he

^a Walker, 221. Walp. Anecd. of Painting, II. 74. Clarend. Rebell. I. 44.

^b Rebell. I. 44.

was bold, honest, and uncompromising; in action he was firm, dignified, and prudent. Unconnected with party of any kind, his merits were his only passport to his various employments; whilst the limited nature of his literary attainments was abundantly compensated by the elegance of his taste, the magnitude of his services to the arts, and the liberal patronage which he extended to men of learning. His kindness and hospitality were universal; his friendships were few but sincere. His religion was the religion of the heart, rather than of the schools, of morals, more than of speculative tenets; the domestic affections encircled him with all their brightness; and "if he were defective in any thing, it was, that he could not bring his mind to his fortune, which was far too little for the vastness of his noble designs."^a The reader will, perhaps, be inclined to suspect the fidelity of both these portraits. Yet, with certain allowances, it will be found, that the latter is not without claims to a resemblance; and, if an accusation still lie against the occasional haughtiness of his demeanour, or the looseness of his religious belief, it will, at least, be acknowledged, that, in other respects, there was sufficient in his conduct to justify the panegyric of his biographer. Of his public character his actions will afford the best criterion; but it is impossible to peruse his private correspondence, without feelings of respect and admiration for the kindness of his disposition, the simplicity of his heart, and the fervour of his domestic attachments. When absent from his countess, on business or otherwise, he rarely suffered a day to escape without some epistolary token of remembrance to his "Dearest

^a Walker, 222, 223.

Harte." Many of these letters are still preserved: some the reader has already seen. They are the warm effusions of his affection; and seldom fail to convey some interesting trait of benevolence, or some amiable characteristic of the writer.

In person, the Earl of Arundel is described by Walker to have been "tall of stature, and of shape and proportion rather goodly than neat. His countenance," says he, "was majestic and grave, his visage long, his eyes large, black, and piercing: he had a hooked nose, and some warts, or moles, on his cheeks: his complexion was brown; his hair thin, both on his head and beard. He was of a stately presence and gait, so that any man that saw him, though in never so ordinary a habit, could not but conclude him to be a great person, his garb and fashion drawing more observation than did the rich apparel of others; so that it was a common saying of the late Earl of Carlisle, 'Here comes the Earl of Arundel, in his plain stuff, and trunk hose, and his beard in his teeth, that looks more like a nobleman than any of us.'"^a

By his countess, Aletheia, whom he left a widow, he had six sons,—James, Henry-Frederick, Thomas, Gilbert, William, and Charles,—and one daughter, Catherine, of whom Henry-Frederick, his successor, and William, afterwards Viscount Stafford, alone survived him.^b—

^a Hist. Disc. 221. The portraits of this Earl are numerous. He is said to have sat to Oliver, Rubens, Vandyck, Padouanino, Vansomer, and others: and certainly no inconsiderable list might be made of the likenesses which still remain. See Granger, II. 111, 112.

^b Dugd. Bar. II. 277. The Countess, who will again be mentioned in the following life, died at Amsterdam, June the third, 1654. "MSS. relating to the Howard family," at Norf. H. p. 24.

The following letters, relating wholly to his collection, are, unfortunately, the only ones that appear to have been preserved.

W. Trumbull to the Earl of Arundel.^a

“ Right honorable my singuler good lord,

* * * * *

“ I dare nowe boldly assure y^r hono^r that the peece of paintinge, made by Raphael d'Urbino, is in such hands as will not parte wth it upon any reasonable or indifferent termes, namely the generall of the postes here, a man of great welth, and one that is a great lover of pictures, who is said to have entayled it to his heyres, as a jewell of great price ; for he esteemeth it at above £200. sterling. Nobeliers, the painter, of this towne, bought it for him of Lermans, at Antwerp, and paid for it, in ready money (as his sonne doth confidently assure mee), £130. sterlinge. Nobeliers is of my olde acquaintance. He hath sundry faire peeces of the hand of Bart. Spranger (but they are all of naked women), and of sundry other famous masters, whereof Benedetto^b bringeth a note to yo^r L., and I will desyer permission to referre yo^r L. thereunto. Hee hath also seene all the peeces w^{ch} Mons^r. Vanderbrand hath, by my procurement ; among w^{ch} there are dyvers peeces of Titiano, and olde Brughell : but he will not sell any of them. If yo^r hon^r wuld procure him the Ma. Madalene of Titian, w^{ch} was the late prince's, he is contented to exchange for it one of the emp^r Charles the 5. on horsbacke, in armour, drawen (to lyfe) he saith, by the same master. And so, beseeching, &c. From Bruxelles the 22 of September, 1618, st^o. vet.

“ Yo^r L. most humble and ready to be commanded,

“ *To the Right Honorable, my singuler
good lord, the Earle of Arundell,*” &c. &c.

“ W. Trumbull.”

^a Orig. at Norf. H. N^o. 264.

^b The bearer of the letter.

The Earl of Arundel to his Countess.^a

" My Dearest Hart,

" I am exceedinge sorry I forgotte to write this weeke to y^e children : I pray let some body doe it, if it be not too late. * *
 * * I pray sende to one that is Mr. Cottington's agente, that he sende the picture of Charles the fifte, w^{ch} he tolde me this day he had, to Arundell House, and let it be hanged up in the gallery-ende chamber, before I come on Monday. The gentleman's name, I thinke, is Stafforde, and dwelles, as I remember, in Holborne. * * * * *
 I pray further our workes at Arundell House, as much as you may. * * *
 Soe, wth my hartiest prayers, and deerest love, I ever reste

" *Theob^s. Friday,*
 1^o. 8.^{ber} 1619."

" Y^r most faithfull lovinge husbände,

" T. Arundell."

An Agent to the Earl of Arundel.^b

" Most illustrious Lord, and revered Patron,

" Immediately on my arrival in this city, I presented your lordship's letter to Signor Rubens, the painter, who received and perused it with evident marks of satisfaction. I give you his reply :—
 ' Although,' said he, ' I have refused to execute the portraits of many princes and noblemen, especially of his lordship's rank, yet, from the Earl I am bound to receive the honour which he does me in commanding my services, regarding him, as I do, in the light of an evangelist to the world of art, and the great supporter of our profession : ' and, with other similar expressions of courtesy, he proceeded to make arrangements for her ladyship's sitting to him, on the following morning. He has already sketched her likeness, with Robin the dwarf, the fool, and the dog. The sketch, however, still requires some trifling additions, which he will make tomorrow ; and, on the following day, her ladyship starts, with the intention of sleeping at Brussels. It so happened, that, when Rubens began his work, he was unable to lay his hand on a piece of canvass sufficiently large for his purpose.

^a Orig. at Norf. H. N^o. 270.

^b Translated from the Italian Original, at Norf. H. N^o. 76.

Having drawn the heads, therefore, as they should be, he sketched the postures and draperies of the figures on paper, and finished a separate drawing of the dog: but he has ordered a canvass, of the proper size, to be prepared, and will himself copy what he has done, and send the copy, with the original sketches, to your lordship. He assures the countess that he will paint no person, unless by your lordship's recommendation.

"Vandyck lives with Rubens; and his works are beginning to be scarcely less esteemed than those of his master.^a He is a young man of one-and-twenty; his parents are persons of considerable property in this city; and it will be difficult, therefore, to induce him to remove,—especially as he must perceive the rapid fortune which Rubens is amassing.

"Will your lordship be good enough to tell Mr. Server that the countess has seen the church of the Jesuits, and thinks it wonderful. I have spoken to Signor Van Ball about the drawings and engravings: but he informs me, that, with the exception of a few pieces of Tempesta's, which are not worth purchasing, there is nothing of the sort to be had. Since my arrival here, I have received letters from Venice. The last is dated on the third of this month, and tells us, what, of course, has delighted her ladyship, that the baron and the knight are well at Padua.^b Diegho has refused twelve hundred pounds, from the Countess Buchuoi, for the bed and twelve '*portiere*.' Her ladyship (the Countess of Arundel) has seen them, and will communicate her intentions to your lordship, by letter. Wishing your lordship every happiness, I, with all reverence, kiss your hands. From Antwerp, July 17, 1620. N. S.

"The season is very cold, and the incessant rains are unfavourable for the drinking of the waters; so that the company at Spa are only losing their time. Her ladyship's house at Spa is the sign of the Stag's Horns, in the Piazza, exactly opposite to Lord Purbeck's."

^a Hence it appears that all the accounts, which date Vandyck's separation from Rubens, and his journey to Italy, in 1619, are wrong.

^b Probably James, Lord Maltravers, and Henry Frederick, her two sons, who, the reader will recollect, were at Padua, at this time, with Mr. Coke.

Sir John Borough to the Earl of Arundel.^a

" May it please yo^r Lo^p.

" This day is wth us a day of extraordinary busines, for my lady having time only till the 24th of June last, in the house of Mucenigo, where she hath hitherto resided, upon his retourne from Venice, where he had a charge, is enforced to change, and remove her stuffe, for that little time we are to stay, unto another house, being that of Justinian, upon the Canall Grande, neer the Pescaria of St. Markes, being a large and convenient house ; though we hope not to stay long in it, my la. determining, so soone as she can settle her affaires, to sett onwards towards home, by easye iourneys, and to good townes, in the coole of the day ; fearing more the inconveniencye of hosterias by the way, then the heates, w^{ch} hitherto have not been unsufferable.

* * * * *

" Concearning the Pontificale Romano, w^{ch} yo^r Lo^p gave me in charge to buy heer, in Venice, wth the pictures cut by Villamena, I have used all diligence to procure it ; but they assure me heer are none to be had, at any rate, being sent all to Rome, where they are sold at a much dearer price then heer : but I purpose to write to Mr. Norgate,^b to provide yo^r Lo^p of one there, and to send it hither wth all speed.

* * * * *

" Yo^r Lo^{ps} ever faythfull servaunt,

" Venice, $\frac{5}{15}$ Julie, 1622."

" John Borough."

From Arthur Hopton to the Earl of Arundel.^c

" May it please yo^r Lo^p.

" By this bearer, Hen. Davis, I receaved yo^r Lo^{ps} of the 11th of May, together wth yo^r Lo^{ps} directions concerning matters of

^a Orig. at Norf. H. N^o. 284.

^b Edward Norgate, who was long employed, in Italy, in purchasing pictures for the Earl. By his patron he was placed in the College of Arms, as Blue-mantle Pursuivant, and was subsequently made Windsor Herald. The story told by Fuller of his distress at Marseilles is too improbable to obtain credit. Worthies, I. 167.

^c Orig. at Norf. H. N^o. 317. There is another letter from Hopton,

art, wherein I will punctually follow yo^r Lo^{ps} order, in doeing nothing wthout the advice of the Marques de la Torre (whoe is the Cavallero Crecentio, whome yo^r Lo^p mentions in yo^r l^re): and doeing soe, I shall humbly desire yo^r Lo^p to accept of my desire to doe yo^r Lo^p service, and not to lay the successe to my charge, if any thing shall happen not according to yo^r Lo^{ps} expectation, w^{ch} I should be sorry for.

“ The marquesse remembers all the tokens of yo^r Lo^{ps} being at his house, at Rome, and confesseth that hee, att that time, tooke yo^r Lo^p for a principall gentleman: but, if hee had then understood of yo^r Lo^{ps} quality, hee would have served yo^r Lo^p wth whatsoever was to bee gotten in that city. And now I finde him very ready to doe yo^r Lo^p all service.

“ I have receaved uppon y^e bill of exchange, that yo^r Lo^p sent mee, 4000 R^s. in silver.

“ Uppon making knowne to the marques yo^r Lo^{ps} purpose, hee caryed mee presently to a painter's house, and bought these draweings (w^{ch} hee esteemes to bee a good bargaine) w^{ch} I send by this bearer, Davis, packed upp according to his owne direction. Wthin few dayes after, hee sent for mee, and tould mee that (uppon a chance) hee was offered certaine pictures of great valew, and tould mee that hee hath knowne one of them to have bin sould for more then was demanded for three: and, wth them, were to bee sould twoe peeces of, of Brugle, w^{ch} hee is much taken wth; and because they were not to bee had but all together, I was in some doubt, yet observeing, by yo^r Lo^{ps} l^re, that you would bee contented to lay out the whole sum^e of your bill, and something more, if the marques should choose peeces to such a valew, I resolved not to lett them passe, and soe have bought them, and have sent them, safe packed upp, to Bilboa, to bee conveyed to yo^r Lo^p.

“ The peeces are, one of Leonardi del Vinci, the beheading of St. Jo. Baptist, w^{ch} is the principall peece, and was brought from Roome by the Conde de Lemos, when hee came from being vice-king of

in the same collection (No. 319.), written a few days earlier: but it merely mentions the shipment of the pictures which he here describes, and contains a promise that he will write more fully by Henry Davis.

Naples : the second is a passion of our Saviour, by Tintorett : the third is of our Lady, wth our Saviour in her armes, and St. Joseph standing by her, and, on her other side, St. Jo. Baptist. They are much esteemed here, and the marquesse assures mee they will give yo^r Lo^p great contentm^t.

“ This inclosed note will give yo^r Lo^p an accompt of how your money is laid out,^a and of the overplus that remaines due to mee, w^{ch} I beseech yo^r Lo^p to com^{and} to bee paid to Mr. Drake, a mercer, at the Three Nunnes, in Cheapside.

“ The twoe pictures, by the life, of Ticiano, are in the possession of the marquesse of Lleganes, and are past recovery.

“ The picture of Sir Thomas More is in Rome, in the Cardinall Crecentio's house, and is not to bee had for any price, as the marquess tells mee.

“ I have bin often called uppon for the Primer yo^r Lo^p speakes of, but will not part wth it untill I heare from yo^r Lo^p, and doe not send it now, because the marques likes it not, yet confesses it to bee a very laborious peece. It will not bee had any thing under 100 ducats. While I ame writeing this, the owner thereof comes to mee, and tells mee that hee can^{ot} leave it wth mee above twoe monthes, in w^{ch} time I desire to knowe yo^r Lo^ps resolution.

“ The gentleman, that is owner of the booke drawne by Leonardo di Vinci, hath bin of late taken from his house, by order from the inquisition ; whoe, after some time of restraint at Toledo, was permitted to goe to live at Seville, where hee now is. All the dilligence that I can use therein is, to procure to have advice when, either by his death or otherwise, his goods are to bee sould ; and therein I wilbe very watchfull.

“ I knowe not whether there bee many things of art (worthy yo^r Lo^ps haveing) to bee sould in this place : but I observe that there are

^a From this it appears that the drawings, sent by Davis, cost, in Madrid, 660 silver rials, or about £18. 11s. 3d. sterling : the two paintings, by Breughel, 1000 rials, or about £28. 2s. 6d. : and the other three pictures, 2800 rials, or about £78. 15s. 0d. The remaining expenses, till the cases arrived at Bilboa, amounted to £22. 12s. 9³/₄d.

few buyers of such things, soe that, if the choice that the marques hath now made for yo^r Lo^p, shall incourage yo^r Lo^p to goe any further wth him, yo^r Lo^p may com^{and} a credit for money to lye heere wth Peter Ricaut's correspondent, w^{ch} being alwise ready, wee may the better serve yo^r Lo^p.

“ The pictures are sent to Bilboa, and are consigned to Mr. Robert Oxwicke, a marchant in London, uppon whose accompt the ship is here. God Almighty blesse yo^r Lo^p, according to the prayers of

“ Yo^r Lo^{ps} most humble servant,

“ *Madrid, Aug. 7^o. 1631.*”

“ Art. Hopton.”

William Lisle to the Earl of Arundel.^a

“ Sire,

“ Your noble well-taking my former letters hath made me bould thus to use my pen again; as I shalbe glad to doe, whensoever it may tende to yo^r honour and service. And now, my good Lord, give me leave, I pray, the rather by cause I myssed that happines to see your lordship at the court, late in Newmarket, where, with yo^r favorable admittance, I might have noticed that, by word of mouth, which here I write.

“ Since I saw yo^r honour last, I met with another book, worthy to be layd by the former; this being as rare a monument of the Frenche church and language, as that other was of th' English,—‘*PSALTERIUM INTERLINEATUM ANTIQUO NORMANICO*,’—of equall antiquitye, and fair-written with a great pen, or pencill, upon a thick parchement. An ignorant bookseller, that had yt, woulde have destroyed yt, to binde other books withall: and I, desirous to save yt, when he knew not how to measure the value but by his own bushell, gave him his asking,—as much as it waied in other parchement books of the same foulding, whereof I had some to spare. So, once in my life, I bought a book by waight,^b which, with myself, I make

“ *Cantabrigiæ, 9^o. 9.^{bis} 1632.*”

“ Your Lordship's to com^{and},

“ *To the right honorable Thomas,
Earle of Arundel and Surrey,*” &c. &c.

“ Wyll. Lisle.”

^a Orig. at Norf. H. N^o. 325.

^b It is now in the British Museum, N^o. 230 of the Arundel Collection. The interlineary version is of the twelfth century.

Mytens to Mr., afterwards Sir Edward, Walker.^a

" Good Mr. Walker, my service remembered to your sweete selfe, some fewe dayes since, I have written unto you, that Mr. Everard had bene att Dort, and hath sente his lres, wth a catalogue,* and his oppinion concerning the things there.^b Since w^{ch} tyme, wee have receaved yours dated the $\frac{1}{2}$ February, and have bene at Amsterdam, wth Mr. Everard, for the thinges of Albert Durer, and the others at Jochim Ficefort, and brought them to the loweste pryce :—A woman's picture to the knee, of Andre del Sarto, as they saye (but wee hould it to be of Ticiano), at 600 gild^s : a man's picture, of Holbeen, a foot high, 300 gild^s : a madona, of Albert Durer, aboute the same heichte, at 150 gild^s : a dead man, of Albert Durer, in water cullors, at 120 gild^s : a picture of Raphael, w^{ch} is held to be of his hand, but wee hold it not so to be, and is held at 60 gild^s : six bookes, as I have written before, at 500 gild^s ;—amounteth, in all, [to] 1730 gild^s. Concerning the auxion, or outcry, of John Basse, at Amsterdam, [it] is paste and begon, the 9th of this presente. And there was greate store of printes and drawinges, w^{ch} were solde by smale parcells ; but verie few pictures, not for my lordes turne. Concerning the twoo pictures of Sir Willyam, w^{ch} I have here, I pray speake wth him, and know what I shall doe wth them ; and sende me worde of my lordes pleasure and ordre aboute these thinges, w^{ch} I will expecte per firste. And so comitting in the protection^c of the Almightye God, I reste

" Yours to be comāunded,

" Hage 12th Marche, 1637, St. Novo."

" D. Mytens."

" To Mr. Ed. Walker, Esq.
at Arundel House, London."

The Earl of Arundel to Mr. Wake.^d

" Good Mr. Wake,

" I have formerly, by Mr. Trumbull's recomēdacōn, desired yo^r paine for some thinges on my behalfe, in w^{ch} I still intreat

^a Orig. at Norf. H. N^o. 384. Walker was, at this time, in the service of the Earl of Arundel.

^b Mytens's former letter, to which he here alludes, is in the same collection, (N^o. 382.) ; but it contains nothing of interest.

^c Sic.

^d Copy at Norf. H. N^o. 20, without date or signature.

* Stephen L'Espeare's.

yo^r carefullnes, as in a matter wherein you shall doe me an acceptable pleasure. * * * * I doe therefore earnestlie desire you, that you would receive for me a peece of painting, begunne by Brugles, and finished by Mostard, being a squabbling of clownes fallen out at cardes, w^{ch} is in stampe by Mr. Lucas Vorsterman, and w^{ch} shalbe brought unto you by order of a letter from Vorsterman sent herewith ; and that you would pay for the same, and as carefully, speedily, and securely as you may, send it over consigned unto me : likewise that for such other thinges, as any of Vorsterman's freinds shall bring unto you, to be sould for me, you would, if you are assured of their goodnes, and that they are originalls, of good master's hands, agree and pay for them, and send them unto me. * * * * "

XXV.

HENRY FREDERICK HOWARD, THIRD EARL OF HIS FAMILY.

The subject of the present memoir was the second, but eldest surviving, son of the last Earl. He was born August the fifteenth, 1608.^a In November, 1616, he was made Knight of the Bath,^b and, on the death of his elder brother, James, Lord Maltravers, in 1625, assumed that
 1625. honorary title. It was in the following year that his
 1626. marriage with the lady Elizabeth Stuart, as already noticed, took place : but, from that period, we hear
 1640. little of him, until 1640, when he was summoned to parliament by the title of Baron Mowbray. The motives of Charles in reviving this ancient barony were probably various. From 1365, the date of the last writ, no person had been summoned as Baron Mowbray ; during a portion of the time—from 1482 to 1640—the title

^a Lodge, Illustrations, III. 356.

^b Anstis, Observ. Append. N^o. 79.

had been in abeyance between the families of Howard and Berkeley;^a and the king, perhaps, imagined, that, by reviving it in favour of the Earl of Arundel, he should offer a substitute for the dukedom, which he was determined to withhold, at the same time that he obtained another supporter in the house of peers, and conferred a reward on the services both of the father and of the son. When parliament met, in April, Mowbray appeared in answer to the summons, and, in virtue of the ancient precedence, took his seat at the head of the Barons' bench.^b In the following October, we find him with the king at York, where the boldness and decision of his conduct merited the praises of Lord Huntingdon, and deserved to be proclaimed as an example to the inactivity of the other members of the great council.^c He was named also on the committee appointed to negotiate the payment of a subsidy to the Scots, during the progress of the treaty then in agitation; and, in conjunction with Finch, Strange, and Clifford, addressed his well-known letter to the freeholders of Northumberland, requesting them, in the name of the lords commissioners at Rippon, to continue their contribution of £300. a day, for two months, towards the support of the Scottish army, and promising them, on condition of their

^a Isabel and Margaret, daughters of Thomas Mowbray, first Duke of Norfolk, were married, the first to Sir Jno. Berkeley, the second to Sir Rob^t. Howard: consequently, on the death of Anne, daughter and sole heiress of John Mowbray, last Duke of Norfolk, without issue, in 1482, the inheritance of the house of Mowbray passed to the two families of Howard and Berkeley. See Dugd. Bar. I. 130, 131.

^b Lords' Journals, IV. 55. He took his seat April 16, though, by a curious mistake, he occurs in the Journals, as having been present on the 13th. Ibid. p. 45.

^c Hardwicke Papers, II. 244.

cheerful compliance, not only that such arrangements should be made with the Scottish commissioners as would render them "free in their persons, and safe in their estates," but that their case should be represented in the ensuing parliament, and that they should be reimbursed both for their past and present contributions.^a

1641. The history of the protestations, signed by the two houses of lords and commons, in May, 1641, is generally known. That the royalists, who subscribed that insidious instrument, foresaw any portion of the evils, which it afterwards entailed upon the country, is beyond the possibility of belief. They knew the hatred of the reformers to the existing government of the church: they dreaded the attempts which might be made to overturn the established hierarchy; and they flattered themselves that, in denouncing every "popish innovation," and binding themselves to "maintain and defend the protestant religion expressed in the doctrine of the church of England," they should secure that church against the fanaticism of the very men by whom this protestation had been framed. With these views it must have been that Lord Mowbray presented himself among the first to take the prescribed oath. On Monday, May the third, it was agreed on by the commons; on the following morning, it was brought up to the lords; and, on the same day, he affixed his name to it, in company with nine bishops, and sixty-eight lay peers.^b

But the time was past when concession, either from the king or his adherents, could produce any change in

^a Rushw. III. 1301. Hardw. Papers, II. 283.

^b Rushw. IV. 241, 247. Clarend. I. 198.

the objects of the disaffected. In the course of a debate in the house of lords, a few days after the signing of the protestation, a dispute arose between Mowbray and the Earl of Pembroke, then lord chamberlain. With which party the subject of offence originated we are not told: but Pembroke, a man of a passionate and haughty demeanour, was not likely to brook the contradiction of his opponent; and a prelude of angry invectives was soon followed by an equally undignified attempt at blows. This outrage roused the indignation of the house. The offending parties were instantly placed under arrest, and, by an order of the peers, were forthwith committed to the tower. The opportunity was favourable to a design, which the king had long cherished, and which the insolent conduct of Pembroke had originally suggested. Sending a gentleman usher to the imprisoned earl, Charles demanded the immediate surrender of the lord chamberlain's staff: the mandate was, of course, obeyed; an offer was made to the Earl of Essex to succeed him, and, in less than three days, that popular nobleman was installed in the vacant office. Mowbray was soon after released: but it was only to discover that the late appointment had failed to reconcile the opponents of the court; that the motives of the king were still misrepresented; that the prerogative was daily crumbling away beneath the aggressions of the popular party; and that an appeal to the sword offered the only chance of rescuing the royal authority from utter annihilation.^a Accordingly, when Charles, driven to this last resource, withdrew from London, in March, 1642, for the purpose of taking up his residence,

1642.

^a Clarend. I. 206.

and organising a military force, at York, Mowbray was among the first to follow the fortunes of his sovereign. He was one of the lords who, in the following June, signed a promise of fidelity to the king's "person, crown, and dignity, against all persons and power whatsoever:"^a in October, he was present at the battle of Edge Hill; assisted at the taking of Banbury, with its garrison of a thousand men; and from that place accompanied the royal army in its march to Oxford. Here the king halted, and, taking up his quarters in Christ-church College, signified a wish that those, who had distinguished themselves in the late engagement, should be admitted to the honours of the university. On such an occasion, Mowbray was not likely to be forgotten. A grand creation in all the faculties was announced for the following day, and, in company with James, Duke of York, Sir William Dugdale, and a numerous train of royalists, he was admitted Master of Arts.^b

Nov. 1.

1646.

1647.

From this period, until the latter end of the year 1645, we find him constantly engaged under the standard of his royal master. But, in 1646, the declining health of his father summoned him from this scene of honourable action; and resigning his command, therefore, he hastened to Padua, where he arrived in time to be present at the dissolution of his parent.^c On his return to England, which appears to have been early in the following year,^d he found the royal cause irretrievably ruined, himself included in the list of delinquents, and

^a Clarend. I. 508. Rush. IV. 627.^b Wood, Fasti Oxon. II. 7.^c Walker, 221.^d Account of Proceedings, &c. p. 20. MS. at Worksop Manor.

his estates in the hands of the parliamentary sequestrators. To obtain relief, he addressed a letter to the house of commons on the subject; and, in November, a resolution was passed, declaring that, “in regard the parliament had made use of monies to the value of fifteen thousand pounds, assigned by the late Earl of Arundel for payment of his debts,” a fine of six thousand pounds would be accepted “for pardon of his son’s delinquency and discharge of his sequestration,” and ordering that, on payment of the said sum, without any addition either of fifths or twentieths, his estates should be instantly restored to him. On the following day, the resolution was adopted by the lords, and the Earl seems to have entered on immediate possession.^a 1648.

We have now to trace him, during the four years which he still survived, in the retirement of private life. Unhappily, it too often occurs, that those, whom we have pursued with unceasing admiration through the brightness of their public career, shrink from the curious scrutiny that would follow them into the seclusion of their homes. The prowess of the warrior, and the ardour of the patriot afford but an uncertain index to the qualities of the man; and the loyalty, which, more than once, has shed a lustre on the actions of the subject, is not always united with the piety which should distinguish the character of the son. Of this last truth the conduct of the Earl of Arundel offers a melancholy

^a Commons’ Journals, Nov. 24. Rushw. VII. 1337. From a document preserved among the MS. Letters at Norfolk House, (Nº. 94), it appears that, before he was allowed to compound for his estates, much negotiation occurred on the subject of the Abjuration Oath, which, in the first instance, he refused to take.

illustration. By various deeds, the late Earl had secured to his widow a life interest in many of the estates which she had inherited from her father: he had, moreover, assigned her a special dower out of the castle and lands of Arundel; and, in addition to this, had, by his will, bequeathed to her "all his goods," including the whole of his collection, requesting only that she would be careful to entail the latter on his successors, to be preserved either at Arundel House, or in the Castle of Arundel:^a for, continued he, "as I am most assured

^a Mr. Lodge has expressed, what most persons, unacquainted with all the circumstances of the case, have felt, a surprise that the Earl "should not have taken all possible precautions to fix his unparalleled collection always in the possession of his male heirs," (*Illustrious Portraits*). This passage of his will, however, explains the whole mystery. In the parliamentary act of entail (3 Car. 1.), it had been provided, that of the jewels, pictures, statues, ancient monuments, and other things, which, "with much industry and great charge," he had collected, such parts, as either himself or his countess should, at any time during their respective lives, register in the court of chancery, should, "by virtue of the said act, be and continue the proper goods respectively of such person as for the time being should possess the dignity of Earl of Arundel, and should remain as heir-looms annexed to the title." It is evident from the will, that he was anxious for the preservation of the collection, in its entire state: but it is also equally evident that, having formed it with funds derived principally from his wife's inheritance, he was unwilling to deprive her of all control over the property, and consigned to her the task of registering it for his family. That it was not so registered must be attributed solely to the undutiful and dishonest proceedings of her son, which are about to be recorded in the text, and which, not unnaturally, induced her to bestow whatever articles she could obtain on his younger brother, the Lord Stafford. Amongst these was the MS. copy of Genesis, the oldest Greek MS. in England, and perhaps in Europe, and now in the Cottonian library. Otho, B. vi.

shee will proove ever a kind mother to my sonne Mowbray, soe I doubt not his memory of such a parent, who brings to our poore family the best meanes of subsistence, and hath beene with him both in his travells abroad, and in all his sicknesses and distresses, with soe much tendernes, will shew a duty and love aunswerable, which wilbee his greatest happines and praise, before God and man."^a But Mowbray, now Earl of Arundel, was destined to bely these fond anticipations of his future affection. Hastening, indeed, from the death-bed of his parent to his mother, who was in Holland, he laid before her the assurance of his filial attachment, offered to assist in forwarding the provisions of the will in her behalf, and received, as the testimony of her regard, the few jewels which the necessities of herself and her departed husband had yet left at her disposal. But, this last object secured, his professions and his promises were alike speedily forgotten. On his return to England, his first care was to obtain possession of all the evidences which could establish the claims of his mother: his next, to seize her estates into his own hands, to apply the revenues to his own purposes, and to assert his title to whatever moveable property, either in England or abroad, had been collected by his deceased father. To guard against the effects of the will, he first persuaded the executors, who were the Earls of Bath and Dorset, that to prove it would be the ruin of the family, and then, making oath that, though required by him to fulfil their duty, they had refused to act, he procured

^a MS. Harl. 6272. f. 27. Case between the Countess of A. and her son, f. 9, MS. at Norf. H. Cases N^o. I. Account of proceedings in the affairs of the Countess of A. f. 16. MS. at Worksop Manor.

letters of administration, by which the whole of their power was transferred to himself. Nor did his dishonesty terminate here. As soon as the executors discovered the fraud which had been practised, they, of course, hastened to vindicate their authority, by demanding the probate of the will; but Arundel was ready to oppose the application, and he, who, only a few days before, had, on oath, declared that instrument to be the true will and testament of his father, now asserted, in the same solemn manner, that it was a forgery, and that he should shortly be enabled to produce a more authentic record of his parent's intentions. The startling effect of this contradiction may be easily conceived. The Earl, however, had his friends among the judges: the positive testimony of his brother, the Lord Stafford, and of numerous other witnesses to the authenticity of the will, was evaded by an appeal to the court of delegates: delay succeeded to delay: commission after commission was despatched, to seek for evidence through half the countries of Europe; and no device was omitted for prolonging a suit, of which, it was hoped, his mother, "being an old woman," would never live to see the termination.^a

In the mean time, Arundel continued to enjoy the property which he had seized; whilst his parent, who had brought an annual revenue to the family of more than thirty thousand pounds, was left with a few hundreds, to consume the declining years of her life in anxiety and sorrow. Yet, the disgrace of this proceeding was not more revolting, than the means adopted, to force her to an abandonment of her claims. Not

^a Case, 10, 11, 13. Account, 19, 20, 38, 40, 61—83.

content with placing spies about her agents, with assaulting some, threatening others, and arresting more than one, on groundless charges of disaffection to the government, the Earl could even denounce his mother as a popish recusant, for the sake of inflicting a fine on the little property which she possessed;^a and endeavour to persuade the creditors of his late father to proceed against her for the very debts, which he prevented the trustees from liquidating. To render this advice the more plausible, he hesitated not to assail her character with the most shameful accusations. He declared that she had obtained the whole personal property of her deceased husband: he pretended that she was asserting a claim to all the estates of the earldom; and he publicly charged her with having embezzled jewels and other valuable effects, to the amount of no less than two hundred thousand pounds. His very servants and domestics were encouraged to speak of her, in terms which might put human nature to the blush;^b whilst he himself, as if to add insult to injury, continued, by his agents and his letters, to upbraid her with the injustice of her pretensions, to extol his own peaceful disposition, and to signalize his filial attachment by reviling the memory of his father.^c It was to one of these letters, written by Lord Andover on behalf of the Earl, that she penned the following dignified and forcible reply.^d

^a "He offered to Mr. Thorpe, minister, £200., and other summes to others, to continue her estate under sequestracōn." Case, 13.

^b "It was said amongst them that the Countess of Arundell her old rotten carcase should never enjoy the estate of Sheffield." Account, 123.

^c Case, 11, 13. Account, 23, 24, 83, 84, 115.

^d Orig. at Norf. H. N^o. 398.

The Countess of Arundel to Lord Andover.

“ My Lord,

“ I have receaved your letter from Dover castle, dated 22 July ; and I give you many thankes for the expressions you make of your favour and affection to me, which upon all occasions I shall be ready to requite. As for the particulars of your letter, I have long since given a particular answer thereunto, and immediatly sent it unto England, and now hearing that you are in the Hage, and that my answer is not come into your hands, I have thought good to send you a duplicate ; and shall first say, in your owne words, that I care not whom I displease after that I have candidly discharged my conscience. First, you say that my sonne desires nothing of me, but what should preserve the fortune entire betweene us, wherein certainly his interest must be more then either my lord of Bathes, or my lord of Dorsetts. For this I may freely answer, that my sonne hath beene so farre from asking any thing of mee, that he hath used all meanes to take my due from mee, not suffering mee quietly to possesse any thing that he conceaves may any way be disputable, though it be my inheritance : and, for his interest being more then my lord of Baths, or my lord of Dorsets, it is no way questioned ; neither had they ever had any, but that they were held persons fitt to be entrusted, and were so, by my deare lord that is in heaven, to whose memory I will ever pay all the respect, that so extraordinary a person deserved. And they being so trusted by him, in his will, (besides the honour they are known to have) is sufficient warrant for me to rely on ; for I hope I shall never be so impious as any way to make question of any thing that he hath left under his hand, but shall ever performe what was his desire, to the uttermost of my power. Next, you say that Mr. Tailler, Junius, and Philipps are like vermine, that engender in the destruction of the noblest creatures.^a As for Mr. Tailler, he was imployed by my Lord

^a Of Theodoric Taylor I know nothing, except that, in addition to what the countess says of him, he was employed as her principal agent in England, after the death of her husband, (Account, 24.). With Francis Junius all the world is acquainted. Phillips was the nephew of Milton (Evelyn, Diary, I. 365, 493.), and, with Junius and Taylor, was engaged in the service of the countess, in opposition to

to fetch my grandchild into Italy ; and, for Junius, he had the care of my sonne Stafford first, next was chosen by my lord for the teaching my grandchildren, and afterwards putt by him to my lo. of Oxford ; for Mr. Philipps, he was likewise entrusted by my lord in following what concern'd my lord of Oxford ; so that your Lo^p sees how carefull I have beene to imploy those that were so much trusted by my lord, as you see they all three were : and, as you charge them wth no particulars, so I can give you no particular answer ; and if, at any time, I shall find that they doe not what is fitting, according to my commaund, I shall take care to remedy it. In the meane time, I may have reason enough to beleieve that they doe as they ought, since I only heare them charged wth generalities, w^{ch} I thinke every rationall body knows is impossible to be answered. Next, you are pleased to say that I brought a vast addition to the family. I must ever say, that the estate I brought is most inconsiderable, in respect of the person to whom it was brought ; else I am no way ashamed of it. You say, no inconsiderable fortune hath beene spent belonging to the family, whereof my sonne never saw the least mite.^a As for that, I am sure the estate hath not binne spent by me, w^{ch} will plainly appeare, if the accoumpts might be cast upp, w^{ch} I have often desired, but could never have it done. But, because your lor^p speakes of the debts, and that I am desirous you should know how the debts came, I shall particularly give you an accoumpt of it. At the beginning of king James his comming into England, all the ancient estate belonging to the family was given away by the king, so that my lord was left wthout any of the ancient patrimony ; and being very desirous to regaine as much of it as he could, tooke up great summes of money to buy part of it, w^{ch} putt him into so great a debt, with interest dayly increasing, that it was very hard to gett out of it ; and those servants, he then imployed, representing to him how prejudiciall it would be to his estate to lett the debt daily

her son. The anger of the latter, as evinced in the uncourtly comparison of Lord Andover, is, perhaps, the best proof of the honesty with which they discharged their trust.

^a One of the charges, circulated by the Earl against his mother, was, that she “ had cost her husband £50,000. in going beyond seas, to kiss the pope's great toe.” Account, 24.

increase, he comāunded them to thinke of some wayes for raysing of money to pay it, w^{ch} they very carefully did diverse wayes, in particular by leasing my lands, some for lives, and some for yeares, by w^{ch} meanes very great summes [were] raysted, so that they hoped the debt would soone have beene payed. This was about the end of king James his reigne. Imēdiatly upon this king's comming to the crowne, he put my lord into the tower, confined my sonne and his wife to one place, and me to another, and likewise tooke from him that w^{ch} king James had given him for many yeares faithfull service, w^{ch}, at that time, by reason of some particular accidents, would have raised a great deale ; so that I very well remember Dyx told me, that, if that money had not beene taken away into the exchequer, adding it to the fines, it would in a manner have payd the debts ; so that I hope now you will plainly see both how the debt beganne, and the reason why it is unpaid. Your Lor^p pleaseth to tell me, that my sonne disputeth nothing wth me. I am sure I have never begunne to question any thing of his : I have beene so farre from it, that, since the greatest misfortune befell me that can happen to me in this world, I have never receaved one penny, directly or indirectly, either of joynture or thirds. And, for what you say of sacrificing his support and prosperity to others pleasure, give me leave to say that that expression is so strange, that I know not well what construction to make of it ; and I know myselfe [so] free from ever having given occasion to any honest man to beleieve that I ever had any such desire, as I need make no answer to it. But I conceive it to be mentioned by you, only out of your not understanding what I have done. This account I have given you in answer to your letter, and because I know the love you beare to the family in generall, and in particular the respect you beare to him that is wth God, who, as your Lord^p sayes most truly, hath left no fellow behind him to equall him both in honour and vertue ; and I shall dayly pray that all his may make him their example. Concerning my sonnes letter, w^{ch}, you say, you had from him to me, I am sure you expect no answer, being that I never receaved it : so, wishing your Lord^p all happinesse, I rest

“ 1648, 14. 7.^{bre} ”

“ Your humble servant,

Endorsed,

“ A. Arundell and Surrey.”

“ Holland, 7.^{ber} 1648.

my mother to y^e lord Andover.”

But it was not by the calm and dignified rebukes of his injured mother that Arundel was to be recalled to a sense of duty. Though, at the end of three years' vexatious delay, a solemn sentence of the court of delegates affirmed the validity of his father's will, yet the property, which that will conferred upon his mother, he still continued to withhold. With the same mockery of duty and conciliation which had hitherto distinguished his professions, his endeavours were still unceasingly employed in calumniating his aged parent: the slander was transmitted, as an inheritance, to his children: his agents were employed to propagate it among their acquaintance; and Junius, Evelyn, and others were taught to join in the invective, and perpetuate the tale of falsehood in their writings.^a 1650.

But from this scene of dishonourable contention the Earl was now about to be summoned. To a man who calculates against the chances of mortality, who measures his life against his designs, and regards the contingencies of the future with the same eye, with which he surveys the realities of the present, how seldom does it happen that his views are realized, or that his expectations are not blighted by disappointment! We have already seen 1652.

^a Case, 3, 11. The ill-natured and unfounded remark of Evelyn, who was never averse from paying his humble court to the prejudices of his patrons, the reader has already seen. The hostility of Junius is more surprising. In his letters, he frequently complains of "the late juggling countess, and her wretchedly unthankfull sonne," Lord Stafford, and, on one occasion, distinctly says that she "carried over a vast treasure of rarities, and convaighed them away out of England" (Hamper's Correspondence of Dugdale, 299.): but it is more than probable that, as far as regards the countess, her inability to satisfy his pecuniary expectations formed the real ground of his resentment.

that Arundel was looking forward, for the death of his mother to leave him in undisturbed possession of his ill-gotten property. But he had not forecast the dangers which threatened his own life : he had not remembered that the ordinary course of nature might be altered in his regard, and that she, whose dissolution he had impiously anticipated, as an object of desire, might, by possibility, survive the “ numbered days ” of his own fleeting existence. Yet such was the termination of all his disreputable schemes. In the midst of his career, he was overtaken by the very hand which he had invoked upon his parent ; while the latter remained, during two years, to triumph over his persecutions, and, in her own affecting language, to “ pray God to forgive him for his unnaturall carriage ” towards her.^a He died at Arundel House, on the seventeenth of April, 1652, in the forty-fourth year of his age ; and was buried in the family vault at Arundel. By his wife, Elizabeth, daughter of Esme, Duke of Lenox, he had nine sons,—Thomas, Henry, Philip, Charles, Talbot, Edward, Francis, Bernard, and Esme,—and three daughters, Anne, who died young, Catherine, married to John Digby, of Gothurst in Northumberland, Esq., and Elizabeth, the wife of Alexander Mac Donald, grandson to the Earl of Antrim.^b

^a Case, 14.

^b Dugd. Bar. II. 277, 278. Mr. Dallaway and Mr. Cartwright are both in error respecting these children. The former makes Francis the elder brother of Edward (R. of Arund. 176, N. Ed.) : the latter not only copies the mistake of his predecessor, but also represents Charles as the seventh son ; and, what is still more strange, places Talbot, Francis, Edward, and Esme *between* Philip and Charles, who, according to his own statement, were born, the first in 1629, and the second in 1630 (Rape of Bramber, 186.). The fact, however, is, that

Of the sons, Thomas and Henry succeeded, in turn, to the earldom, and became Dukes of Norfolk: Philip, was the cardinal, afterwards known as “the Cardinal of Norfolk,” or “the Cardinal of England,” and will be mentioned hereafter: Charles and Bernard were the respective ancestors of the late and present Dukes of Norfolk; and the remaining four died without issue.

XXVI.

THOMAS HOWARD, DUKE OF NORFOLK, FOURTH EARL OF HIS FAMILY.

Thomas Howard, the eldest son of the last Earl, was born in the year 1627. At an early age, he was placed, 1627.
for the benefit of his education, under the tuition of an eminent master at Utrecht; and, together with two of his younger brothers, continued, during some years, to pursue his studies in that city.^a He afterwards accom- 1644.
panied his grandfather, in his journey through France; visited the principal objects of attraction in the north of Italy; and arrived with him, in the course of the year 1645, at Padua.^b Here, however, he was attacked by 1645.

Charles was the fourth son of Henry-Frederick; that Talbot, Edward, and Francis were respectively the fifth, sixth, and seventh sons; that Bernard was the eighth, and Esme the ninth, or youngest. On the eighteenth of September, 1653, Edward, Francis, and Bernard were entered of the English college at Doway,—the first aged sixteen, the second fourteen, and the last eleven (Diary of Dow. Coll. apud Dodd, III. 248.). Esme was buried in the church-yard of St. Pancras, Middx., where an inscription is, or was lately, to be seen, styling him the “youngest son of Henry, late Earl of Arundel and Surrey,” and stating that he “died June 14, 1728, in the eighty-third year of his age.”

^a Walker, 219, 220.

^b Ibid.

a brain fever, which, though it spared his life, was soon discovered to have seriously impaired his mental faculties. As his years advanced, the malady gained strength; so that it was ultimately deemed advisable, without removing him from Padua, to place him in the hands of some responsible persons, who might devote themselves entirely to his superintendence.^a On the death of his father, he, of course, succeeded to the honours of his family, and the Earl of Northumberland, the Marquess of Worcester, and Mr. Onslow, a Smyrna merchant, were appointed his guardians.^b The return of Charles the second suggested to his friends the idea of soliciting his restoration to the dukedom. Accordingly, a petition, signed by ninety-one peers, was presented to the king on the subject; the matter was brought under the consideration of parliament, and a bill was passed, December 29, 1660, and confirmed by another, on the twentieth of the same month, in the following year, investing him with the ducal honours of his family, and granting him the original precedence of his ancestor, John Howard, Duke of Norfolk.^c But the Duke himself was insensible

^a The person, charged with his immediate care, was a Signor Charles Theobaldi, a confidential agent of the family. MS. Letter at Norf. H. N^o. 407. ^b Letter from Theobaldi, Orig. at Norf. H. N^o. 411.

^c Acts, 12 and 13 Car. 2. The limitations, under these acts, are,—
1^o. To Thomas, the existing Earl of Arundel, Surrey, and Norfolk, and the heirs male of his body; and, in default of these, to the heirs male of the body

2^o. Of Henry-Frederick, Earl of Arundel, Surrey, and Norfolk, the father of the said Thomas :

3^o. Of Thomas, Earl of Arundel, Surrey and Norfolk, who died in 1646 :

4^o. Of Philip, Earl of Arundel and Surrey, the father of the last mentioned Thomas :

to this accession of dignity. His complaint, instead of yielding to the treatment of his physicians, had constantly encreased upon him; and, at the latter end of the year 1677, terminated in his dissolution. He died, 1677. unmarried, at Padua, on the first of December. In the following year, his body was conveyed to England, and interred in the family vault, at Arundel.^a

XXVII.

HENRY HOWARD, DUKE OF NORFOLK, FIFTH EARL OF HIS FAMILY.

The life of an English catholic, even though a nobleman, during the latter half of the seventeenth, and the whole of the following, century, offers but an unpromising subject to the pen of the biographer. Whilst the necessities of the sovereign compelled him to enlist the aid, and trust the loyalty, of his catholic subjects against the rebellious fanaticism of the time, we find the proscribed adherents of the ancient church, unmindful of the persecutions they had constantly endured, pressing forward, among the first, to defend the falling throne with their counsel, their fortunes, and their blood. But the overthrow of the monarchy was at length suc-

5°. Of Thomas, Earl of Suffolk, half-brother to Philip: and

6°. Of Lord William Howard of Naworth, brother to Thomas, Earl of Suffolk, and ancestor of the Earls of Carlisle.

7°. To Charles Howard, Earl of Nottingham, and his issue male.

Hence, it will be seen, that, in the event of the failure of heirs male of the body of Earl Thomas, the father of Henry-Frederick, when the Castle and Earldom of Arundel will, under the Act, 3 Car. 1. pass to the heirs of his body, the dukedom will again be separated from the earldom. See page 133, ante.

^a Collins, I. 129. Regist. of burials in Arundel church.

ceeded by the restoration, and the services of catholics were no longer necessary to the government. Charles the second, though disposed to remember with gratitude the devotedness with which they had thronged the ranks of his father and himself, was unable to oppose the torrent of aversion with which they continued to be borne down: their past sufferings in the royal cause offered, in the eyes of the nation, no guarantee for their future fidelity; and new penalties were invented, and fresh exclusions successively enacted, for the purpose of restraining "the insolence of papists, and preventing the increase of popery." Under such circumstances, it is not surprising if we henceforth hear but little of catholics in connexion with the public transactions of the country. Driven from the counsels of their sovereign, and from their hereditary seats in the legislature, deprived of every office, and existing only for the purposes of mulcts and confiscations, the chief anxiety even of the nobility was to escape from public notice, to retire from that society from which the law had in a manner proscribed them, and to obtain, if it might be, by the cheerful payment of the fines and forfeitures of recusancy, the undisturbed exercise of their religion.

1628. Henry Howard was the second of the nine sons of Henry-Frederick, Earl of Arundel, and was born at Arundel House, in London, on the twelfth of July, 1628.^a Educated a catholic, and embued with the hereditary loyalty of his father and his grandfather, he seems, during the Commonwealth and the Protectorate, to have lived in that total seclusion, to which the professors of the old religion and the adherents of the exiled king were inevitably condemned. His time,

^a Collins, I. 129.

there is reason to believe, or, at least, a large portion of it, was spent on the continent, and though the restoration, coupled with the favour necessarily extended to him by the sovereign, was calculated to attach him more closely to his country, though, at the coronation, he was allowed to perform the hereditary offices of his family, as the deputy of his brother, and, a few months later, was selected by the members of the inner Temple, to be admitted, with prince Rupert and others, to their society,^a yet even these marks of royal and public regard were unable to withdraw him entirely from his foreign connexions, or to fix him permanently in a land, where his loyalty could still afford no protection against the constant violation of his religious feelings. In 1662, the loss of his wife, and the purchase, by the Franciscan nuns, of the old palace of the sovereign counts of Flanders, called Princenhoff, in the neighbourhood of Bruges, which was in a great measure effected by his influence, offered him an inducement to fix his residence in that place. Accordingly, he erected for himself a small house contiguous to the monastery, which, with a plot of garden ground behind, formed his whole demesne. Here his family was placed; and to this secluded retreat he long continued to retire, for some part of the year, edifying and protecting the community, dispensing his bounties, and displaying his munificence, through the town, and enjoying what was denied him in his native land, an undisturbed communication with his God, in the religious worship of his fathers.^b

^a Coronations, MS. in State Paper Office. Kennet's Register, 418, 555.

^b From the records of the nuns of Princenhoff, communicated in a

1664. In the mean time, however, his attention was not entirely withdrawn from other pursuits. He had already obtained a patent of precedence as a duke's son,^a when, in 1664, an opportunity of visiting the east was presented to him. The victory of St. Gothard, gained by Montecuculi over the Turkish army, instead of being improved to the destruction of the Ottoman power, had been followed only by negotiation, and a magnificent embassy, with count Lesley at its head, was about to be despatched by the emperor Leopold to Constantinople, for the purpose of adjusting the terms of a lasting pacification. Lesley had been known to Thomas, Earl of Arundel, Lord Henry's grandfather: during the residence of that nobleman in Germany, an intimacy had grown up between them; and the grandson now gladly availed himself of this ancient friendship, to accompany the ambassador, and thus gratify his desire of seeing the capital of the eastern world.^b In February, 1664, he embarked at Dover, and proceeded to Vienna; but the arrangements for the departure of the embassy were not completed at his arrival; and the emperor and the chief nobility of Germany, during two months, continued to emulate each other in their attentions to the noble stranger. At length, the day of departure arrived.

letter from Mrs. Berington, the present superior of the community, now resident at Taunton in Somersetshire. After his accession to the dukedom, this house was given "in full possession" to the monastery, and became the residence of the conventual chaplain, till, at the period of the French revolution, it was converted to its present purpose, —a Public House. Ibid.

^a Earl Marshal's Book, MS. Col. Arm.

^b A Relation of a Journey of the Rt. Hon. Hen. Howard from London to Vienna and thence to Constantinople, in company of Count Lesley, Knt. &c. by John Burbury, pp. 2, 3.

On the twenty-fifth of May, Lord Henry, with count Lesley and the ambassadorial train, set forth in state from Vienna, and, proceeding to their barges, dropped down the Danube to Presburg. Hence, following the course of the river to Buda, and other towns, where they were invariably received with distinguished honours, they arrived, about the middle of June, at Belgrade. Here they quitted their barges. Two hundred waggons were procured for the conveyance of the baggage and the inferior attendants, whilst the ambassador, with Lord Henry, and the principal members of his suite, entered their coaches, and advanced, by easy journeys, through Samandria, Nissa, and Philippopolis, to Adrianople. Their entrance to this town bore all the characteristics of a triumphal march. First appeared the quartermaster of the journey, accompanied by two Turkish attendants on each hand, and followed by the master of the horse, with the ambassador's led horses. To these succeeded a long train of pages; the kettle-drum, and eight trumpeters, with their trumpets of silver, came next; whilst the steward of the household, "with the squadron of his excellency's servants and those of the cavaliers, his companions," encreased by two hundred attendants selected from among the sons of the more respectable Turks, closed the advanced part of the procession. Then came a train of nobles,—barons, marquesses, and dukes,—assembled from various nations, to give splendour to this important mission: these were followed by the banner of the embassy borne by count Sterhaimb, between Lord Henry Howard on the right, and the Earl of Herberstein on the left; the resident envoy of the emperor, with his long train of

domestics and attendants, occupied the next place; and, at length, preceded by his body-guard, his dress studded with jewels, and his heron plume floating in the wind, appeared the ambassador himself. On his right hand, rode the Chiaus Bashaw, or marshal of the court: on his left, the Aga of the spahies, with a hundred janizaries on each side, as a guard of honour. The interpreters, secretaries, and other official attendants of the legation, were placed immediately behind; and two hundred spahies, with their coats of mail, their quivers, and their lances, succeeded by the ambassador's litter, four coaches, and one hundred and ninety waggons, brought up the rear of this splendid cavalcade. "In this manner," says Burbury, "we passed to the city of Adrianople, through the midst of the Ottoman camp, by the grand vizier's tent, and near the seraglio, while the grandees of the court stood admiring and gazing on the pomp of this embassy, which rather represented the glory and triumph of the emperor of the west, than a salutation and an address to the monarch of the east."^a

At Adrianople, they delivered their letters to the grand vizier, and, having been entertained in state by that functionary, were introduced, for the first time, to the sultan, who happened to have arrived there, in the course of a progress, or visitation of his dominions. By Mahomet they were received with every mark of distinction; but he was unwilling to enter on the subject of the proposed negotiation until he should have returned to Constantinople; and they were compelled, therefore, after a month's relaxation, to resume their journey towards that metropolis. It was early in September when

^a Relation, 144 — 148.

they arrived in the capital; on the third of October, they were followed by the sultan, and the business of the embassy was immediately opened. With the progress of the negotiation we have no means of becoming acquainted: but the ambassador and his friends continued, during more than two months, to be treated with the respectful attention of the court: a truce of twenty years was concluded, and, on the twenty-first of December, they set out on their return to Vienna, where they arrived towards the end of the following March.^a

At the return of Lord Henry Howard to England, he found that the prospect which, before his departure, had begun to dawn on the sufferings of the catholics, had again been darkened; and that the same dissensions, which had hitherto distracted that body, continued still in active and mischievous operation. To the persecuted professors of the ancient creed the restoration had promised the removal of many, if not most, of their grievances. The loyalty they had manifested, and the sufferings they had endured in the royal cause, had given them a claim on the gratitude of the king: his own feelings, it was known, were favourable to toleration; and there were few amongst them who did not already anticipate the speedy abrogation of the penal code. In June, 1661, a committee of the principal catholics met at Arundel House, and presented to the lords a petition, complaining of the penalties to which they were liable, and praying for some relaxation of their severity. By the lords the petition was received with every mark of attention. A committee of catholic and protestant peers

1665.

^a Relation, 150—224. Nouv. Dict. Histor. Article, 'Leopold.'

was appointed to report on the several statutes affecting the lives of catholics; and a unanimous determination was expressed to abolish whatever enactments extended to the infliction of capital punishment. But this measure, which afforded relief to the secular clergy, without recalling the proscription of the jesuits, or releasing the laity from the fines and forfeitures of recusancy, was not likely to satisfy the expectations of the latter. Hence, the project was speedily abandoned. The catholic peers, finding that they were to derive no personal benefit from the change, and instigated by the selfish representations of the jesuits, silently retired from the discussions; the committee at Arundel House was dissolved; and the bill, suspended in its progress at the request of the catholic members of the house of lords, was never afterwards brought under the consideration of the legislature. Even the benevolent attempt of the king, in 1664, to mitigate the severity of the penal laws, and place the catholics on a footing of ease and security, was frustrated by the same perverse opposition; and those "moderate men,"—among whom we shall presently have occasion to see that Lord Henry Howard was to be numbered,—"who desired nothing but the exercise of their religion with the greatest secrecy and caution," had once more the mortification to see their fondest anticipations blighted, by "the folly and vanity of some of their friends."^a

Nor were these the only sources of dissension among the catholic body. On the death of bishop Smith, in 1655, the chapter had applied to Rome for a successor

^a Lords' Journals, XI. 276, 286, 292. Clarendon's Life, 142, 143, 189, 190. Kennet's Register, 469, 476, 484, 495—499.

to the deceased prelate, and had signified their desire that the person to be appointed should be invested with ordinary jurisdiction. By the regular clergy, the existence of episcopal authority in the neighbourhood of their exemptions had always been regarded with peculiar jealousy; and it was not unnatural, therefore, that the same faction, which, during the life of Dr. Smith, had manifested its hostility to this canonical form of government, should, in the present instance, be more than usually solicitous to oppose the demand for its restoration. Accordingly, Rome was immediately thronged with the emissaries and the intrigues of the party. At one time, it was asserted that the government, at another, that the catholics themselves, were adverse to the introduction of an ordinary power. In every company, the jesuits were heard declaiming against the proposed measure: the cardinals repeated their statements, and detailed their reasoning, to the pope: while Dr. George Leyburn, the president of the English college at Doway, representing himself as the agent of the catholic body, denounced the pretensions of the chapter, and recommended the establishment of a vicarious authority. Meanwhile, the chapter, supported by the king and the great body of the secular clergy, continued to urge its demands with unremitting earnestness. Remonstrance succeeded to remonstrance, and agent followed after agent to the Roman court: but the mind of the pontiff was already poisoned by the ceaseless and interested representations of the jesuits and their party; a series of evasive replies and unmeaning promises, whilst they grieved the friends of canonical discipline, emboldened its enemies and encouraged them to fresh exertion: at

home as well as abroad, the regulars rose against the chapter; pamphlets denying its authority were written, accusations were published, replies and rejoinders followed each other in rapid succession, and charges of schism, and threats of excommunication became the edifying forms, in which the anger or the malice of both parties was alternately pourtrayed. At length, the chapter resolved to make a last effort in behalf of that episcopal jurisdiction, of which it had hitherto proved itself the guardian and support. In the progress of the negotiation with Rome, it had already nominated, but ineffectually, several individuals as proper to be entrusted with the office of bishop: there was still another whose station and connexions—he was brother to the Duke of Norfolk, and lord almoner to the queen—might, it was thought, recommend him more powerfully to the attention of the pope; and the English agent at Rome, therefore, received instructions to urge the consecration of the honourable Philip Howard as ordinary of England.^a

^a Philip Howard, as the reader will remember, was the third son of Henry-Frederick, Earl of Arundel, and was born at Arundel House, in the year 1629. At an early age, he accompanied his grandfather to Italy, was placed by him, for the benefit of his education, under the care of the Dominicans, at Cremona, and, a few years later, joined the society of his instructors, and was subsequently admitted to holy orders. At the restoration, he returned to England, and, on the retirement of the lord Aubigni, was appointed lord almoner to the queen. But the antipathy of the country to his religion again compelled him to seek an asylum on the continent. He repaired to Bornheim, in Flanders, where he established a convent of his order; and was engaged in the discharge of his ecclesiastical functions, when, in May, 1675, he was created cardinal, by pope Clement the tenth. On his arrival in Rome, at the latter end of the same year, he was nominated cardinal-protector of England, and, in that capacity, was entrusted with

But this nomination was doomed to be as unsuccessful as its predecessors. The promise, which was given, of acceding to it, was never performed, and the catholics, wearied out with delays and disappointments, were glad to content themselves, during the few years that remained to them of independence as a church, with striving to uphold the authority of the chapter, and protesting against any change in their existing ecclesiastical government.^a

This contest, though nominally carried on by the clergy alone, was not without its interest to the laity, and, amongst the rest, to the Lord Henry Howard in particular. Independently of his connexion with it, in the person of his brother, the lord almoner, it is certain that his rank and influence would attach an importance to his opinions, which each party would be eager to secure; and his advice, therefore, no less than his interference, was anxiously solicited by those, who, knowing his sentiments, promised themselves, in his assistance, a valuable defence against the enemies of canonical discipline. But, however strong were his own feelings in favour of episcopal jurisdiction, he was careful not to

the chief direction of the affairs of his catholic countrymen. When bishop Burnet visited Italy, in 1685, the cardinal of Norfolk received and entertained him, with a kindness which the historian has faithfully recorded. He died at Rome, June 16, 1694; and is described, even by those who dissented from his religious creed, as “a man of singular humanity and benevolence.” See *Athen. Ox.* I. 272. Burnet, I. 661. Granger, III. 340. Collins, I. 127.

^a Transactions relating to the English secular clergy, by J. Sergeant, pp. 44, 56—70. Encyclical Epistle by the dean and chapter, on occasion of Dr. Leyburn, 35, 43, et passim. See also Dr. Leyburn's Encyclical Answer to an Encycl. Epistle.

risk the security of the catholic body, by any violent or imprudent demonstration. Whilst a chance of success attended its applications, he was among the foremost to applaud the meritorious exertions of the chapter: but, when it became evident that a continuance of the contest would only hasten the introduction of an authority, odious to the people, and denounced by the king, he was the first to recommend a retreat; to advise the catholics to rest contented with the authority and government of the chapter; and to inculcate the necessity of conciliating their protestant fellow subjects by a careful abstinence from all “manner of tampering with Rome.” The following portion of a letter, addressed by him to Father Lesley, at Rome, in 1667, offers, together with an exposure of Dr. Leyburn’s factious and dishonest proceedings, so beautiful a picture of his own mind and character,—of the prudence that guided, and the loyalty that animated, him, that its introduction here, as well as that of the preceding detail, which was necessary to its elucidation, will be readily pardoned by the reader.^a

Lord Henry Howard to Father Lesley.

August y^e 30th 1667.

* * * “As to Mr. Labourne’s pretensions and buisness, I doe assure yow I am not sorry yow say yow almost despaire of it, for I beleeve, when the truthe is knowne, hee has consulted more his owne hott-headed fancy then the dictates of the papists of England; for I have bin lately spoke to, by divers here of the very prime and best quality of them; and neither they, nor I, doe so much as know what ’tis hee aymes att, and therefore I doe most reasonably beleeve ’tis what wee should little approve of, and I could wishe, when hee, or

^a Copy, at Norf. H. N^o. 408.

any from him, are to have an answer of their request, that they were tould they beleve the papists of England scarce know or desire what hee does, and vouch, for a reason, mine and many others saying so : nay further, that I in particular (who should know something) and many, nay most, besides doe not desire, at this time, any alterations, or innovations, or new rules, or authorities, to bee procured, for that, to speake truthe, the poore catholikes of England are not really under such a heavy persecution as may bee supposed : nor doe wee beleve his majesty or the parliam^t will bee very severe or follow the malicious dictates of the rigid presbiterians, for, although 'tis true wee lye under a heavy burthen of lawes, yet our fidellity to monarchy is so reall, that, if wee doe but continue sober and humble, wee shall not, I hope, have severe lawes put in execution upon us, for the indiscretion of some few impertinent, over-zealous, busy coxcombes : Wherefore, now I would have no manner of tampering with Rome, or any thing at all done, att present, to give disgust, or disrellish, to the king or people, so as my vote is, rather to crampe, then forward, all Mr. Labourne does upon his owne head, which wee may else suffer for, though innocent. And though 'tis contrary to my resolution and promise to yow, ever to write of, or intermeddle in, any of these ecclesiasticall affaires, and that I desire not so much as an answer hereto, but to my lord almoner, yet I thought [it] for once necessary, as a christian and an Englishman, to admonish yow to hinder that the indiscreet zeale of some should not bee laid hould on, as to rayse a storme or crime in those who desire to bee quiet, for yow know already how unjustly our enemies accuse us for so much dependance in secular affaires from Rome : whereas I sweare, in secular matters and things not of faith, but of secular power and interest, should the pope himselfe come with an army to invade us, I dare sweare that n'ere an understanding papist in England but would, upon that scoare, shoote a bullett in his head ; for I am sure I would : for, in all matters abstracting from secular government and our copyhoulds heere, I'le beleve as farre as any in spirituall matters. I have noe more at present, but rest ever

“ Your faithfull servant,” &c.

Endorsed.

“ *Copy of part of my letter to Rome, in Aug. 67.*”

The opportunity, which Lord Howard thus anticipated of signalizing his patriotism, was not likely to occur: but another, of a more peaceful, though not less honourable, character, had already presented itself, and he was not backward in turning it to advantage. Of the books and marbles obtained by his father from the collection of Earl Thomas, such as had escaped the ravages of the civil wars had descended to him. These he had already determined to present to some public institution, when chance, perhaps, hastened the accomplishment of his design, and fixed the manner of its completion. By the
1666. fire of London, in September, 1666, the members of the Royal Society had been compelled to suspend their meetings in Gresham College: an offer of apartments in Arundel House for the use of the institution was immediately made by Lord Henry, and accepted by the council; and Evelyn, who was probably acquainted with the intentions of the noble owner, and who saw that the library was continually suffering from the depredations of the dishonest, suggested the idea of bestowing it on the society which Howard had thus taken under his protection. The advice was readily adopted. At a meeting
1667. of the society, in January, 1667, the books, with the exception of some few to be reserved for the Heralds' College, were solemnly presented to the members; and the noble donor, who had been elected to the society in the preceding November, continued, during nine years, to be annually placed upon the council.^a At the same

^a Evelyn's *Memoirs*, I. 401, 500. IV. 314. Birch, *Hist. of R. Society*, II. 114, 128, 136, 138. The conduct of the society, as connected with this library, was somewhat extraordinary. As early as March, 1669, a proposal was actually made for selling the MSS. to

time, and by the same advice of Evelyn, he bestowed the marbles, since known as the "Arundel marbles," on

the university of Oxford. A committee was appointed to ascertain their value, preparatory to the sale: and it was only after two or three debates, and a division on the question, that the proposition was rejected, as "seeming to slight the munificence of the giver" (Birch, II. 351—372.). Nor was this all. Though the subject was frequently mentioned, no less than fourteen years elapsed, before a catalogue was made (ib. II. 138, 200, 284, 343. IV. 79.): the MSS. were reported by a committee to be "chiefly valuable for their rarity being unlikely otherwise to be of any very great advantage, either to the university of Oxford, or to the R. Society" (ib. II. 351.): and such was the state of neglect and decay, in which they were suffered to remain, that, in 1677, Lord H. Howard, then Earl of Norwich, found it necessary to transmit a message to the council, requesting "that the library, given by him to the R. Society, might be better looked after," (ib. III. 330.). At that period, the books were still in Arundel House: but, in the following year, that mansion was pulled down: Dugdale was employed to select, for the Heralds' College, such works as related to "heraldry, genealogy, or the history of the family of Norfolk;" and the remainder of the library was forthwith removed to Gresham College, (ib. III. 410, 414, 430.). The following extract from the minutes of the society proves that Dugdale, in claiming the historical and other miscellaneous works, which he afterwards, by some unaccountable means, succeeded in removing to the Heralds' College, acted in direct violation of the donor's declared intentions.

"Aug. 29, 1678. His grace, the Duke of Norfolk, being present
"at this meeting, renewed the declaration of his gift, formerly made
"to the society, of the Arundelian library; and also gave his consent
"and direction for the removal thereof into the possession of the
"society: and that they should have liberty to exchange such books
"thereof as were duplicates, or which they should think not so proper
"for their use, for others of equal value, which they should judge
"more pertinent to their design. He declared, likewise, that the
"books formerly reserved by him, concerning heraldry, were the

1668. the university of Oxford: and the public thanks of that learned body, together with the honorary degree of doctor of the civil law, conferred on him, June 5, 1668, testified their gratitude for this munificent donation.^a

Hitherto the services rendered by his family to the royal cause had been almost forgotten amidst the delirious revelries that succeeded the restoration. But these acts of splendid and patriotic liberality appear to have awakened the recollection of the king; in March, 1669, a patent was issued, elevating him to the peerage by the style and title of Baron Howard, of Castlerising, in the county of Norfolk;^b and, in the course of the same year, he was called into employment, and des-

“ only books which he still excepted out of the said donation, having
 “ made a promise of them to the college of heralds. His grace
 “ added, that Sir W. Dugdale had presented him with a catalogue of
 “ such books as he, in the name of the heralds, had desired for that
 “ purpose. But, upon perusal of the same, finding many of them to
 “ be such as did not so properly belong to the business of heraldry,
 “ the Duke was desirous that Sir Rob. Redding and Mr. Evelyn
 “ would peruse the said catalogue, and consider what books therein
 “ mentioned were such as concerned heraldry, and were most proper
 “ for the use of the college of heralds, and what might be more pro-
 “ per for the use of the society, and to moderate and adjudge the
 “ matter between the said society and college.” (Birch, III. 430.).

^a Chandler, præf. ad Marmora Oxon. p. iii. Evelyn, I. 205. Wood, Fasti Oxon. II. 172. “ When I saw these precious monuments miserably neglected and scattered up and downe, about the garden, and other parts, of Arundel House, and how exceedingly the corrosive aire of London impaired them, I procured him to bestow them on the university of Oxford. This he was pleased to grant me, and now gave me the key of the gallery, with leave to mark all those stones, urns, altars, and whatever I found had inscriptions on them, that were not statues. This I did,” &c. Evelyn, Diary, II. 295.

^b Pat. 21 Car. 2.

patched on a special mission to the emperor of Morocco. The management of this embassy, however, before its arrival at the Moorish capital, was, for some unexplained reason, transferred to other hands.^a Yet Lord Howard still continued to rise in the favour of his sovereign. Though his religion seems to have excluded him from any public attendance on the king's court, he was generally to be found at the private parties of the royal family: he was often consulted, in secret, by the monarch; and, as a mark of the attachment of his master, was, in October, 1672, created Earl of Norwich, 1672. and hereditary Earl Marshal of England.^b The following letters addressed by him to his brother, the cardinal, three years later, not only shew the intimacy of his 1675.

^a Evelyn, in his Diary, June 2, 1669, says, "I went to take leave of Lord Howard, going ambassador to Morocco:" and Kennet, (Hist. Eng. III. 373.) tells us that "the Lord Howard, being appointed by his majesty to go in an embassy to the emperor of Morocco, embarked, with a very splendid train, at Plymouth, in a squadron under the command of Sir Thomas Allen." Yet, that he never visited the Moorish dominions in the character of ambassador, we have his own declaration to prove. At a meeting of the Royal Society, March 28, 1672, a paper was read, containing answers to certain "enquiries concerning Barbary, formerly recommended by the society to his lordship, when he went ambassador from the king to the emperor of Morocco. After this paper was read, his lordship declared to the society that *he went not himself, for reasons known, to Morocco*; but "that an ingenious person, one of his attendants in his voyage," had made the enquiries, and supplied the answers which the society had just heard. Birch, III. 22.

^b Pat. 24 Car. 2. The earldom of Norwich is granted, by this patent, to himself and the heirs male of his body. The limitations of the office and dignity of Earl Marshal are substantially the same as those of the dukedom of Norfolk.

connexion with the court at this period, but, among other not less interesting points, illustrate much of the public temper of the times. Intolerance must have gained a fearful ascendancy, when the sovereign could not venture to receive a catholic, though the first and most faithful of his subjects, at Whitehall, and when that catholic was compelled to shelter his correspondence with his own brother, under the protection of a fictitious address!

The Earl of Norwich to Cardinal Howard.^a

“ Emi^{mo} et Rev^{mo} Sig^{re},

London, $\frac{14}{24}$ June, 1675.

“ Although I had much difficulty at first, and when I spake wth Coll. Balati about your Em. affaires, how I could correspond with you, for feare of offending our masters here, yet I found it so necessary, not alone in order to your Em. service, but to the preservation of mine and families interest and credit abroad, that I write to yourselfe, and also to L^d Patrone^b and Barbarino, that I have swallowed all apprehensions of difficulty at present, and henceforward never more to correspond more then to order Mr. Hay to write to Mr. Thomas Grane,^c who will informe your Em. of all my concernes. And therefore now, once for all, desire that whatere Mr. Hay shall write to him may pass as my owne sence to your Em. And therefore, this being the last I am like to write, I will write freely, in regard a friend

^a Copy, at Norf. H. N^o. 417.

^b Cardinal Altieri, to whose influence, in conjunction with that of Cardinal Barberino, Howard appears to have been principally indebted for his advancement to the purple. He had been admitted to the sacred college only in the preceding month: and “ the two letters for Rome,” of which the Earl presently speaks, were to express the acknowledgments of the family for the honour conferred on it, in his person.

^c The name, which the cardinal henceforth assumed in most of his correspondence with England.

of mine, going accidentally hence to-morrow morning, will carry over this, and all the inclosed letters to Ostend, and so see them safe delivered there at the post-house, after which I feare no miscarriage; and even if letters should, I hope none will blame, or, if so, also pardon, me for what I now do. I was out of towne at the arryvall here of the express you sent, and came, the day ere yesterday, to towne. All yesterday and this day I spent in preparing what you desire, and, this very night, am going to supp with his ma^{ty} and the duke, at the prince of Newburgh's, where, since I cannot now meet them at Westminster, nor conveniently go to Whitehall,^a I will make your compliments, and ask if they desire you should write or not. Next day I will go to the Portugall ambassador, and, by his advice, address to her ma^{ty}, and, by the lord Peterborow, to the dutchess. I send the two letters for Rome, with a blank for the filling up of the day of the moneth, though els I had put the $\frac{1}{2}\frac{4}{4}$, and have wrote them both all with my owne hand. I would have said much more of the *causa di Dio*, &c., but I durst not: and pray let their Em^{ces} know, I would, had I durst, have expressed the joy, gratitude, and concerne of my family herein much better: but time will show I am sensibilissimo del honore. I expect, at Mr. Lumsden's best leasure, to see him: meanwhile, I pray believe what I sayd already to Coll. Balati and Mr. Cooper, which is, in short, that, as I ever have, so I desire your Em. to reckon upon it that I ever will be a true friend, as well as a kind brother, to one who has ever bin so kind and sincere to me in all my concernes. And I reckon upon it also, that one in your Em. condition now and ever will be as just and kind to me, and the concerns of our family, as all other persons in their posture. And, for the first earnest of my part, I am providing, and, next post, (certainly depend upon it) I will send your Em. a bill of a thousand pound sterling, payable at sight in Antwerp, of which if you will receive all or part in Italy it depends on your pleasure: and I hope one day, at your

^a In January, a proclamation had been issued, declaring that any papist, or reputed papist, who should presume to enter the palace of Whitehall or of St. James's, should, according to his rank, be committed either to the tower, or to one of the common gaols. Kennet, III. 301.

owne best leasure, your condition will be so good, as that, before, or at, your death, you may with ease repay it to me, or those I leave behind me to receive it : and, if not, I freely remitt it from the hower forward as I send it. I am going, in August next, into Cumberland, and hope, at my returne, I may furnish your Em. with a thousand more, on the same terms, of which though I am not certaine as to the time precise, yet you may as well reckon upon it as soon as I can get it, and, I believe it, suddainly.^a I am glad to see in Mr. Hay's letter of the generous offer or presents of the cardinal padrone, and the great duke, in which particular I cannot, at this distance, take upon me to advize what to do, but answear only for myselfe, that, at every turne, I will be a sure carde not to faile you in time of the greatest need. And if you can but rubb out for the present, I hope some veschovate,^b or other church livings, will so capacitate you as to need little more hence. As to your going into Italy, it's best, I think, if your chiefe padrone^c continue in any reasonable health, that you deferr it till the heats be over, or els that you rest at Padoua, in your brother's house, where, let your traine be what it will, 20, or 30, I will see all defrayed as long as ever you please to be there : and, in sede vacante, in 24 howres you may be thence in Rome. I have also thought, as soon, or in what time you please, to add to your traine your nephew Tom, wherere you'l goe, and to allow him, at my cost, to keep a camariero,^d a coach and two horses, and two footmen, and all in your livery, and to pass as if it were at your cost, though I pay underhand for it. And also agree, and like extreamply the name of 'Card. of Norfolke,' as Vendosme^e and others did. If my letters

^a Hence it appears that the funds, which the cardinal, at the time, was reported to have received from king Charles, and which, on the authority of Ant. Wood, (Ath. Ox. I. 273.), have ever since been said to have been supplied by the pope, were, in reality, derived from his brother. The actual receipt of the money was acknowledged by the cardinal, in one of his letters (Extract, at Norf. H. N^o. 427.), and the offers of cardinal Altieri, presently mentioned by the Earl, were, probably, declined.

^b 'Vescovádo,' a bishoprick.

^c The pope.

^d 'Camerière,' a valet.

^e Louis, Duke of Vendome, grandson of Henry IV. of France, who,

to the two cardinals get any replies, pray open, keep by, and read them, and send only to Mr. Hay the breviat of what they purport. Mr. Richard Onslow, the Smyrna merchant, is extreame kind to me, and helpes me now with the money, and is the man I shall only use in like matters. His correspondences are all over Italy and Flanders, &c. I hope her ma^{ty} will still continue your office under her, which, I think, will be no solecisme for either, for I am really in pain to know how, for the future, you will be annually supplied. You know my condition, and how I am tyed up with entails, &c., whilst the Duke of Norfolk lives, who is likelier to do so long then I; els I had more elbowroome. Besides, I feare our miseries and disorders here are much more likely to increase then decrease, of which God alone can foresee the event. Your nephew, Harry's, marriage hangs strangely, and the event, I doubt, very uncertaine, since that, after I had agreed to all and every minute particular of my part, as they asked, I find scarce any advance or stepp towards their raising 20 thousand pound, which is the sine quâ non. I hope, however, it may at last come on, els I see he will have a great itch to follow his brother into Italy, where, I conclude, your Em. will cause him attend and follow you. I should be glad finally that Mr. Grane would write to Mr. Hay, how he believes your Em. proposes to live for the future, and out of what fonde or yearly revenue, that my opinion and help may be best applyed. I believe Dr. Yerbury^a has, by this, good store of silver plate, and some very good moveables, in Padoua. I freely offer all that to your present service, to go to Rome for a yeare, two or three, till your owne condition may be better: and do consent, if you please, to put out the armes, if any were now graven upon such plate, and put yours in the place, the which, at your return of it hereafter, may againe be altered, or no hurt neither if it remaine.

“ This farr I had wrote last night, till I was hurried away in hast,

after the death of his wife, Laura Mancini, in 1657, took orders, and obtained the purple. He was known as the cardinal of Vendome.

^a Dr. Henry Yerbury, fellow of Magdalen college, Oxford, and doctor of physick, in the university of Padua. He seems to have been professionally employed in the care of Thomas, Duke of Norfolk. See an account of him in Wood, Ath. Ox. II. 860, and Fasti, 124.

to attend his ma^{ty} at the Prince of Newburgh's, where, before supper, I spoke at large to the king and duke all your Em. complements, &c. ; and, not to trouble you with an unnecessary repetition, in short, his ma^{ty} first, and, you may believe, very particularly his royal highness, bad me write you word all your heart can wish or expect of kindnes ; and both not only permitt, but desire you should write freely to them, and, I judge, by the Portugall ambassador's means the properest, since I, for severall reasons, avoid such intrigues as publique ministers may more dexterously and safely manage. I was, this morning, with, and just now come from, the Portugall ambassador, and made a most ample complement, in my owne and all the families name, of thanks to her ma^{ty}, and his excellency next, for their favor, &c., in your concerne. He tells [me], since I dare not, as you know, go to Whitehall, that, next holyday at Somerset-house, he will introduce me to say all my abovesaid complements, in mine and my families name, to her ma^{ty}, and, this day, beforehand acquaint her with it. He told me also his readiness to serve you, with many great, and, I believe, reall, expressions of kindness, and hopes to stirr up the queen to make some good present to your Em^{ce}, and has, as he saies, also ingaged Sir Richard Bealing in it.^a I hope you have or will write to Sir Richard yourselfe. He also goes, this morn, to adjust, with the Lord St Albans, the affaire of your coachhouse under the gate ; and saies, has allready wrote you word, that the king and duke desires your letters : therefore, faile not to the dutchess too. I was, this morn, to have spoke with the lord Peterborow about the complement to the dutchess, but he is out of towne, and returns at 8 this night, at which hower, I have left word, I will be with him.

“ Mons^r Bloys, of Brugges, is the hand I send this by, and is now present, and calls in hast, his shipp attending ; beside which, I must confess I was disordered with drinking, farr beyond my custome, till 4 this morning ; so as, judge how fitt I am to write any more at this time. But your Em^{ce} is partly the occasion of engaging me last

^a Probably the same person, who, as Mr. Bealing, or Beling, was employed by Clarendon as his agent and interpreter, through the whole of the negotiation for the sale of Dunkirk. Kennet, Regist. 723, 803.

night in so good company, to this so unexpected disorder. Howere, I have bin, ere since nine of the clock this morne, about towne, and so, will now go sleep, instead of dining, and close my letter, as I began, with the assurance to your Em^{ce} that time shall shew that I am in all sincerity, and without compliment, of your Em.

“The most humble and most devoted servant and brother,

“Norwich and Marshall.”

The Earl of Norwich to Mr. Hay.^a

“Sir,

“I pray let Mr. Grane know I have spoke with the Port. ambassador, and believe that his mistress will still keep him in statu quo. It was but an officious scruple of Col. Ballati's, who also told me, as you know, long stories of his taking party, how his patrones feard it, and what he has answeard and assur'd them of the contrary, with many other good-morrows. I find this abovesaid Col. a very pragmaticall visionare, and a man most unfitt to meddle in any busines, but desirous to thrust himselfe into all, and is shunnd as such by all mankind. I need say no more, but hope Mr. Grane will not againe let this troublesome burr stick upon him. He is yet worse relished abroad then here: if Mr. Conne come to Flanders (which I think very unnecessary) ask him. Mr. Conne himselfe also is, I think, but a weak man. The lieftenant shall be ever ready, and stay or go as his uncle desires. That of the coach, or charriot, and six was but a fancy, and a wyde discourse: besides, the very charriot now, you know, is given to the prince of Newburg. I believe Mr. Grane had better much hast to be neer his great patrone; for, if he do not establish him in his life-time, the next officer which succeeds to his place certainly will never take halfe, nor no part of the proportion, of that care of him, as this will do: and now or never, in his life-time, must he fish, after which, all that interest dyes. I really advize Padoua by all meanes to be hasted to, and thence, as occasion requires; where all equipage may be made up, and, till which, to be as incognito as possible, and either not to pass, or not to stay in France. This yeare has, abroade as well as here, bin extreame cold, and fitt for travaile.

^a Copy, at Norf. H. N^o. 418.

The Col. gave me Mr. Grane's of the 25 June, this morn: and, by yours of the 2 July, I see he is much concerned about the liveries, &c.; in which I conclude he may freely use his pleasure, without the least offence to any, in due time and place;—I meane as to any here. As to the stable-money, you see £120. is ready, the deed and acquittances only wanting. I desire himselfe will repeate and second my desire to the Portugall ambassador, about your waiting on him in both our concerns, as both our agent in our absence. Though I have not seen Mr. Lumsden, it's the same thing, if you go betwixt us. At Paris, I saw nobody, nor asked to see, nor am like to do otherwise hereafter; for neither will yield, and so neither meet. As to his thanks to the He and Shee, &c., I say little till the lieutenant goes, by whom I shall explaine what the She is (as you already know). But I will answear that all her life she will be his cordiall faithfull servant. And indeed, if ever I have any returne of ought I furnish him, I desire it be to her and hers, who yet have little or nothing if I dye. And, to avoyd all disputes or discoveries, all for her and them is to be given to Sir James Hayes, and, as I have privately directed him, to dispose of. And this is hint enough, if I dye: Ergo, Sir James Hayes is the sole trustee for the hen and chicks.^a June 28, 1675."

Endorsed,

"*Coppy of my l^d Marshall's instructions to Mr. Hay, how to write to Mr. Thomas Grane. The originall whereof he sent to y^e said Grane, 28 June, 1675.*"

^a Does he, in this passage, allude to his marriage with Mrs. Bickerton, or to a previous, and less honourable connexion, which he is said by Evelyn to have formed with that lady? To me it appears that the latter, had it really existed, he would neither have mentioned in such terms, nor promised to explain by his own son (the lieutenant); and that his unaccountable concealment of the former was the only real ground of the scandalous story which Evelyn, and, I believe, Evelyn alone, has given to the world (Diary, Octob. 17, 1671, and Jan. 23, 1678.). That some injurious reports, founded, perhaps, on the officious gossip of Evelyn, and raised apparently for the purpose of depriving the widow and her children of their inheritance, were, after the death of the duke, circulated by several members of his family, is true; for the cardinal, addressing the duchess, in March, 1684,

The occupations of the Earl of Norwich, during the next two years, have not been recorded. On the death of his elder brother, in 1677, he succeeded to the title 1677.

says,—“ I am amazed at what you write of two of my brothers stirring in that, which, I conceive, can bring them no good, but discredite, in adding affliction to affliction on the poor *innocent*” (Orig. at Norf, H. N^o. 436) ; and, in the following month, writing to his niece, the lady Catherine, he expresses a hope that her mother, the duchess, “ will finde good frends, and no ennemys, although, at first, she had some reason to apprehend the contrary” (Orig. ib. N^o. 434.). But, that the cardinal himself utterly disbelieved the whole story, is proved by the following extract from one of his letters to the duchess (Orig. ib. N^o. 438.).

“ Madame,

16 Sept. 84.

“ I have y^r Gr^s of the 5 August, w^{ch} I shewed L. George, who desireth nothing more then to receive y^r G. blessings and com^{mands}, w^{ch} I doubt not but he will most willingly and dutifully obay, as he ought, in all respects : so much the more, since I am sorry to understand that you have some false frends, and secret enemys, w^{ch} cannot be otherwise but unto his prejudice also, if they prevaile any thing against y^r G. ; but I hope God Almighty will protect both the widdow and fatherlesse childeren, unto w^{ch} all that I can, at this distance, adde, for both theyr services, you may surely depend to the utmost of my poore abilitys : For, although I am not ignorant of some reports, w^{ch} severall have made theare, in prejudice of y^r G., yett, I neyther ought or can beleeve any thing so prejudiciall to y^e honour and interest of y^rselfe, and the deceased memory of so deare a husband, and his childeren. * * * *

“ I am y^r G^s as you know,
“ T. G.”

To this it may be added, that, although Lord George certainly, and, I believe, others of her children, were born several years before the date of Evelyn's pretended conversation with their father (Octob. 17, 1671.), their legitimacy was never, at least successfully, impugned. See the inscription on Lord George's coffin-plate, post.

1678. and estates of the family ; and, in the following January, took his seat in the house of lords, as Duke of Norfolk.^a But this scene of honourable action was soon to close upon him. The time was fast approaching, when the credulity of some, and the wickedness of others were to give currency to the perjured villainies of the infamous Titus Otes : in August of the same year, the first development of “ the Plot ” began to manifest itself ; and, in November, an act passed the two houses of parliament, prohibiting the members of each from sitting or voting in their respective places, until they should have made and subscribed the declaration, commonly known as the “ declaration against popery.”^b Of course, the effect of this bill was precisely that which was indicated in its title—“ An act for disabling papists from sitting in either house of parliament ; ” and, amongst others, therefore, the Duke of Norfolk, who was unwilling to barter his conscience for the advantages to be derived from compliance with the provisions of the new enactment, found himself at once excluded from his hereditary share in the legislature of his country, and marked, by that very exclusion, as a person of doubtful loyalty, if not of dangerous and traitorous principles.^c To solace his mind under this unmerited persecution, and, probably, to place himself beyond the reach of that destruction, which shortly after overtook his aged uncle, the

^a Lords' Journals, XIII. 129.

^b St. 30 Car. 2.

^c It is curious, however, to observe, that the very last act of the house of lords, before the exclusion of the catholic peers, was, to record a vote of thanks to the Duke of Norfolk, for “ the good service ” rendered by him to the house, “ before his withdrawing.” Lords' Journals, XIII. 394.

viscount Stafford, he withdrew once again to his favourite retirement at Bruges. Here, in the society of his duchess, and in the neighbourhood of the religious community, which he had assisted in establishing at Princenhoff, he remained for more than three years,^a cheering the hours of his exile with the duties of religion, and the exercise of an extended benevolence: but, during the year 1681, as the credit of Otes and his associates be-
 1681.

^a Compare Birch (Hist. R. Soc. III. 430, IV. 125.) with the "Description Historique de l'Eglise de N. Dame à Bruges," p. 217. On the thirtieth of November, 1678, he was present in the house of lords: but, after that day, his name nowhere occurs, until, at a meeting of the R. Society, held Feb. 8, 1682, Sir Joseph Williamson informed the members that "the Duke of Norfolk was newly arrived in England." From the "Description de N. Dame," it is clear that the intermediate period—at least, from the commencement of 1679—was spent at Bruges.

^b The infamy of Otes needs no emblazoning: yet I cannot resist the temptation of inserting the following letter from that accomplished impostor to Charles Howard, one of the younger brothers of the Duke of Norfolk. A man, named Wilcox, an associate of Otes's, had made a demand of money on Howard, for some pretended service. The claim was naturally resisted, and Otes, who was evidently to share in the spoil, was called in, by his friend, to settle the dispute. The terrors wielded by this man soon extorted a promise of payment. Howard's only resource was, to appeal to the mercy of his new plunderer, to entreat that he would "a little consider the wrongs he suffered," and to engage himself to stand by the decision which he should pronounce. The award, of course, was speedily settled: but the victim of the conspiracy seems to have faltered in his compliance, and Otes, in the fear of losing the expected booty, thus addressed him (Orig. at Norf. H. N^o. 435.):—

" Sir,

" I have taken paines in yo^r buisness, and have had not any

1682. by the plot had been gradually subsiding; and, early in the following year, therefore, the Duke resolved to avail himself of this favourable change, and returned once more to his native country. He appears not, however, to have again entered into public life. His days were drawing to a close. The symptoms of approaching dissolution probably united with the exclusion to which his religion subjected him, in confining him to the privacy of domestic life; so that, during his last two years, we meet with no mention of his name. He died in
1684. London, on the eleventh (twenty-first) of January, 1684, in the fifty-sixth year of his age.^a His body was buried in the sepulchral chapel, at Arundel: his heart, and that of his infant son, John, were embalmed, and, being deposited in two separate porphyry urns, were placed in niches, in the conventual church of Princenhoff, where

advantage but my labour for my paines. You may have an occasion to use me in p^lt (parliament), when your cause may come before either lords, or com^ons, or both: but, if you breake yo^r word with mee at this rate, you will finde mee but cold in appeareing for you there, or in any other occasion. I have done you justice in this, and if you stand not to that award, you will finde mee severe in other respects: for, in plaine termes, I cannot keepe friend^{pp} with any man that values not his word: and further, let mee tell you that your house will not protect you from mee. However, if you comply with your word upon honour to me,

“ I will appear, Sir,

“ *June 30th 81.*”

“ Yo^r affect^{te} ser^t,

“ *To the Hon^{ble} Charles Howard, Esqr.*”

“ Titus Otes.”

^a The Obituary of Princenhoff places his death on the twenty-first of January; the inscription on his coffin-plate, printed in the following chapter, assigns it to the eleventh. The difference arises from the difference of style.

they remained, until the period of the first French revolution.^a

The Duke of Norfolk was twice married. His first wife was Anne, daughter of Edward, Marquess of Worcester, by whom he had two sons, and three daughters,—Henry, Lord Mowbray, his successor, and Lord Thomas Howard; Anne-Aletheia, who died young, Elizabeth, married to Alexander Gordon, Marquess of Huntly, afterwards Duke of Gordon, and Frances, the wife of the Marquess Valparesa.^b By his second wife, Jane, daughter of Robert Bickerton, Esq. (son of James

^a “ The heart of the duke, and that of his sixth (third) son, by his second lady were embalmed, and put in two separate porphyry urns, and placed, by the desire of the dowager duchess, in niches in our church, who intended that her heart should likewise be deposited there, after her decease; but it was never sent. It was stipulated that they were never to be removed, or taken down, unless war or fire made the abbess consider it necessary for their preservation.....Our community being obliged to leave Princenhoff, at break of day, in the middle of June, 1794, there was no time to remove these precious deposits, and many other things. Servants were left in the house, and a catholic mercantile man, a friend of the community, residing in Bruges, undertook to see to the security of the house, and all that was left in it: but his courage subsequently failed him, and he refused to permit, or connive at, the removal of any thing from the premises. In consequence, all fell into the hands of commissioners sent by the French republican government. The church and monastery were sold and pulled down: the small house adjoining, built by the Duke of Norfolk, was turned into a public-house, and, we understand, still continues so: and the school, a new house, built only in 1778, was sold to an English shop-keeper. No doubt the porphyry urns were disposed of to the profit of the French republic, and the hearts thus totally lost, to our great regret.” Extract from a letter of Mrs. Berington, the superior of the ladies at Taunton.

^b Dugd. Bar. II. 278. Dodd, III. 248.

Bickerton, lord of Cash, in Scotland) he had four sons and three daughters, whose names and marriages are recorded in the genealogical table.

Henry, Duke of Norfolk, is represented as a man of a benevolent and generous disposition, but his manners are said to have been unpolished, and his abilities, in the opinion of the author of the "*Memoires de Grammont*," were but of an inferior order.^a By Evelyn, indeed, we are told, that he had but "little inclination to books."^b Yet, his public benefactions will always secure to him the praise of having been the patron of science and the arts: whilst some papers, communicated by him to the Royal Society, and printed in the *Philosophical Transactions*, will, probably, vindicate his fame from that total incapacity, with which Hamilton and St. Evremont have too indiscriminately charged him.^c His portrait was painted by Lely, and afterwards engraved by Blooteling, at a charge of thirty guineas.^d The whole length painting of him, in Arundel Castle, is by H. Gascar.

^a Vol. I. 191.

^b I. 401.

^c See Birch, III. 336, and *Philosop. Transact.* XII. N^o. 136, p. 907. Anthony Wood (*Fasti*, II. 172.) says that the "History of the Journey to Vienna and thence to Constantinople," &c., which I have had occasion to cite in a former part of this life, was "published under this duke's name." He is, however, mistaken; for, in the title page, it is expressly stated to have been "written by John Burbury, Gent."

^d Granger, III. 186, 8^{vo}. 1779. As, however, this painting has the tuft of hair upon the chin which does not appear in that at Arundel Castle, it is most probable that Granger is mistaken, and that the portrait belongs to the son of this Duke. There is a beautiful and very scarce print by Collin, after Lely, of his second lady, Jane Bickerton.

XXVIII.

HENRY HOWARD, DUKE OF NORFOLK, SIXTH EARL OF HIS
FAMILY.

This nobleman was the eldest son of the last Duke by his first wife. He was born in the beginning of the year 1655; and, though educated in the principles of the catholic religion, was, together with his brother Thomas, placed, at an early age, under the tuition of Dr. Henry Yerbury, at Magdalen college, Oxford.^a In 1668, when his father was created Doctor of the civil law, he received the degree of M. A.; a testimony of gratitude and respect on the part of the university, which, on his subsequent accession to the dukedom, was amplified by the additional distinction which his father had enjoyed.^b At what period he quitted the university we are not informed, nor do we meet with his name, during the nine years immediately preceding the death of his uncle, the Duke of Norfolk, in 1677: but, in the following January, as the reader is already aware, his father took his seat in the house of lords, as the successor of the deceased Duke, and, a few days later, “the lord chancellor acquainted the house, that his majesty had been pleased to issue a writ of summons to the Lord Henry Howard, to attend in parliament, by the name and title of Henry Mowbray, Chevalier.” A question, however, arose as to the continuance of the precedence formerly attached to this title. The journals were, therefore, ordered to be searched, the precedent

^a Wood, Fasti, II. 172.

^b Ibid. 172, 226.

of his grandfather, with "many others of the like nature," was produced, and, after a lengthened discussion, it was agreed "that the said Lord Mowbray should be called in, and introduced, and placed in the place of his grandfather, as Lord Mowbray, at the upper end of the Barons' bench."^a

There is reason to believe that Mowbray had not yet abandoned the religion in which he had been educated: consequently, he was soon destined to suffer from the provisions of the act for "disabling papists from sitting in either house of parliament." On Saturday, the thirtieth of November, the day on which the bill received the royal assent, he was present in his place in the house of lords: but, when, in order to obviate a legal difficulty, started by the Duke of Norfolk, it was determined that some of the peers then present should immediately take and subscribe the oath and declaration set forth in the act, he at once refused the test, and, with his father and the other catholic lords, withdrew.^b His religious principles, however, weakened, probably, by the peculiar circumstances of his education, were not of that unbending character, which could oppose any lengthened resistance to the impulses now brought into active operation against them. An opposition of four months was all that they could offer. On the eleventh of April, 1679, he once more appeared in the house of lords:

^a Lords' Journals, XIII. 130, 131.

^b Ibid. I deduce this inference from the circumstance of his not taking the oaths on that day, coupled with the fact of his never appearing in parliament again until the following April, when he, for the first time, complied with the provisions of the act. Lords' Jour. XIII. 511.

and, having taken the oaths of allegiance and supremacy, and made and subscribed the declaration against transubstantiation, and the invocation of saints, resumed the seat from which he had formerly retired.^a

To Mowbray the career of ambition was now reopened; and the attention and the favours of the sovereign soon testified the degree of merit, which his recent proceeding possessed in the royal eyes. On the death of prince Rupert, in 1682, he was appointed to succeed him as governor and constable of Windsor castle. He was created also warden of Windsor forest: and continued, during the remainder of Charles's reign, to enjoy the confidence and the friendship of that monarch.^b 1682.

The accession of James made no alteration in the prospects of this nobleman. By the death of his father, in the preceding year, he had already attained to the ducal honours of his family; and one of the first acts of the new sovereign was, to nominate him to the vacancy, caused by his own accession to the throne in the order of the Garter. He was installed July 22, 1685.^c At the same time, he received a commission as lord lieutenant of the counties of Berks, Surrey, Norfolk, and the city of Norwich, and was appointed *custos rotulorum* of Berks and Norfolk.^d By James, indeed, he appears to have been treated with an attention almost bordering on regard. Whether it were that the monarch was anxious to secure the support of his powerful influence for the schemes which he was already meditating, 1684. 1685.

^a Lords' Journals, XIII. 511.

^b Patents, Bund. D. at Norf. H. Collins, I. 131.

^c Barillon, apud Fox, Append. lxxvii. Wood, Fasti Oxon. II. 172.

^d Wood, Fasti Ox. II. 226. Hist. of Eur. ad an. 1701, 370.

or that, by manifesting an attachment to a nobleman who had but lately abandoned the ancient form of worship for that of the established church, he flattered himself that he should more easily obtain credit for the sincerity of his intentions in promoting a universal toleration, certain it is, that both the Duke of Norfolk and his family continued to receive, at the hands of the king, the most unequivocal testimonies of esteem.^a Perhaps even a more disinterested motive may have combined with the former, in producing this attachment. Whatever were the errors and the faults of James, it was never pretended that he was insincere in his religious opinions; and, though there is certainly no truth in the stories that have been told, of his proselytising attempts on the Duke of Norfolk, it may, nevertheless, be true, that some part, at least, of his kindness to that nobleman was conferred, from a desire of enticing him back to the creed of his fathers.^b

^a Among other instances, it may be sufficient to mention, as more immediately connected with the subject of the present work, that very soon after the accession of James, Bernard Howard, the ancestor of the present Duke of Norfolk, and then "one of the principal catholics," received from his majesty the command of a troop of cavalry. Barillon apud Fox, Append. lxxvii.

^b Burnet, amongst other tales, recounts the following, which has been frequently repeated:—"One day, the king gave the Duke of Norfolk the sword of state to carry before him to the chapel, and he stood at the door. Upon which the king said to him,—'My Lord, your father would have gone further:' to which the duke answered,—'Your majesty's father was the better man, and he would not have gone so far,'" (Own Times, I. 683, 684.). Unfortunately, however, for the veracity of the reverend historian, as well as for the witticism imputed to the Duke of Norfolk, the whole story is contradicted by facts. In the first place, we know, from the testimony of Barillon,

But whether one or all of these motives were concerned in influencing the conduct of James, the result proved that he was equally mistaken in the calculations he had formed. Norfolk could neither be induced to return to the religion, nor prevailed on to support the measures, of the king. The effect, too, of the seeming impartiality, with which James at first distributed his favours, was speedily neutralized, in the public mind, by the headlong violence of his subsequent proceedings; and it required barely the lapse of four short years, not only to alienate the public feeling, but to convert the very man, who had profited largely by his kindness, into one of his most determined opponents. Yet, in connecting himself with the events which passed in rapid succession over the last few months of James's arbitrary reign, there is no reason to believe that the Duke of Norfolk had any share in inviting the Prince of Orange to become either the arbiter or assertor of the people's

the French ambassador, himself a constant attendant on the court, that, except when the king communicated (and then the sword was borne *by a catholic*, Barill. MS. correspond. 26 April, cited by Lingard, VIII. 302.), it was the established order for the person carrying the sword of state to remain at the door, and *not* to enter the chapel:—" *coutume n'estant pas que celui qui porte cette epée entre dans l'église*" (Barill. apud Fox, Append. lxxvii.). In the next place, it is equally certain, and on the same authority, that so far from any such dialogue, as that detailed by Burnet, having taken place, on one of the very first occasions on which James proceeded to mass in state, the Duke of Norfolk, together with the Dukes of Grafton, Richmond, Northumberland, and others, absolutely *entered the chapel*, and accompanied the king to the gallery; whilst it was remarked that the Duke of Ormond, and the Marquess of Halifax were the only lords who stopped at the door:—" *On a remarqué que le Duc d'Ormond, et le Marquis de Halifax sont demeurés dans l'antichambre.*" Barill. *ib.*

liberties; far less that his efforts were originally directed by any design against the throne of his royal benefactor.^a His object was to secure, if possible, the liberties of the people, without trenching, in any manner, on the acknowledged rights of the existing sovereign. On the
 1688. twenty-eighth of November, 1688, James summoned a great council of peers to meet him at Whitehall; and, two days later, in pursuance of their advice, issued a proclamation, announcing, amongst other things, that a

^a Mr. Dallaway, following Hume, and copying the words of Collins, says, that the Duke of Norfolk "joined in the invitation of the prince of Orange" (R. of Arund. 180, N. Edit.). The fact, however, is the reverse of this. The address was signed, in cipher, by the Earls of Shrewsbury, Devonshire, and Danby, the bishop of London, the lord Lumley, admiral Russell, and Sidney, and by *no others*. See it in Dalrymple, p. 229. The same writer is equally incorrect in stating that Norfolk "was one of the protestant peers in London who drew up a petition to James II. to summon a parliament regular and free in all respects." There is an account of this petition in Clarendon's Diary (201—203, 210.): and it is certain that the Duke of Norfolk, with several others, refused to lend it the sanction of his signature. From the following letter, however, which is preserved in the British Museum (Ayscough, 4163, N^o. 18.), he appears, in the first instance, to have been favourable to it. The letter is without address: but was probably written to one of the archbishops.

" My lord,

Nov. 16.

" I have, as I was desired last night, been with several peers, to desire their concurrence to this petition, whom I find, for the most part, inclinable to promote one: but do not think so nice a matter fully enough weighed yet. They do, therefore, and I, with submission to your lordship's judgments, rather wish a short time or day be appointed, for a fuller meeting, to discuss and settle this thing, and to have as many of the nobility sign it as possible.

" I am your Grace's most obedient servant,

" Norfolk."

parliament had been ordered to meet, on the fifteenth of the following January. Norfolk instantly resolved to profit by this favourable concession, in order to rally the fainting adherents of the king. Hastening to Norwich, in quality of lord lieutenant of the county, he, on the very next morning, summoned the principal gentry of the neighbourhood to meet him in that city. The mayor and corporation attended in state; and, from an elevated situation in the market place, the Duke proceeded to address the assembled multitude. After adverting to the distracted state of the country, as the reason which had induced him to convene them, he spoke at once to the object of the meeting, and the means by which tranquillity might be most surely and most permanently restored. A free parliament, he thought, offered the most effectual method of promoting this desirable end. Without it, they were left helpless and unprotected: with it, their laws, their liberties, and their religion were secure. Of such a parliament they were then assembled to express their approbation: to such a parliament they were ready to submit the adjustment of their differences: and, since his majesty had, within the last two days, been pleased to convoke one, "he could only add, in the name of himself and of all those gentlemen and others there met, that they would ever be ready to defend the same, and, with it, to support the laws, liberties, and protestant religion. And so," continued he, "God save the king!" In this the whole assembly concurred: "God save the king" rose loudly from the mingled multitude, and the meeting quietly dispersed to await the convention of a free parliament.^a

^a Echard, III. 924.

That event, however, was not destined to take place under the dominion of the house of Stuart. The tide, which was to overwhelm the dynasty of that unfortunate family, was already flowing too strong to be stemmed by the voice or the exertions of the few royalists that remained. The acclamations, that had attended the Prince of Orange in his march from the south-western part of the kingdom, were already heard in the eastern counties; and, in less than six days after the meeting at Norwich, the mayor and corporation of King's-Lynn waited on the Duke of Norfolk with an address, requesting that the county might be immediately placed in a condition to support the declaration of the Prince of Orange. To have resisted this demonstration of the public feeling would have been useless, even if the duke had been so disposed. But he had already begun to veer with the changing aspect of affairs: he promised to comply with their request: the militia was instantly called out; the tradesmen, seamen, and men of every class mounted their orange ribbons in honour of their deliverer; and healths were drunk, and shouts were re-echoed through the county, to the Prince of Orange and the Duke of Norfolk.^a With the events, that followed, the reader of English history is already acquainted. On the morning after the prince's arrival at St. James's, he received the Duke of Norfolk, who had hastened to pay his respects to the future sovereign,^b and whose services were not forgotten by William in the subsequent selection of his confidential advisers. Norfolk was confirmed in his offices of governor of Windsor castle, and

1689.

^a Echard, III. 924, 925.^b Ellis's Original Letters, IV. 180. 2d series.

lord lieutenant of the several counties, over which he had hitherto presided; he was appointed a member of the privy-council; and continued, during the reign of William, to enjoy the uninterrupted confidence of that monarch.^a

Such were the public transactions with which Henry, seventh Duke of Norfolk, was connected. Of his domestic life it is less agreeable to speak. He had married Mary, daughter of Henry Mordaunt, Earl of Peterborough,^b a lady to whom he was sincerely attached: but the levity of her conduct soon became to him a source of constant uneasiness, and an intimacy, which she had contracted with Mr. Germain, eldest son of Sir John Germain, at length determined him to seek a separation. Articles to that effect were, therefore, obtained, in 1685, and the lady, probably with a view to a future reconciliation, was placed in a convent at Paris. The life, which she was here constrained to lead, was not, however, the most congenial to her taste. After a residence of about six months, she procured a friend, named Conne, to write to England, persuading

^a Dodd, III. 447. Hist. of Europe, ubi sup. p. 370. It is said, however, that, at his death, there was a sum of £12,000. due to him for his salary as governor of Windsor Castle, which was never paid. Howard Anecdotes, 128.

^b “1677, Aug. 9. Din’d at the Earl of Peterborough’s, the day after y^e marriage of my lord of Arundel to lady Mary Mordaunt.” Evelyn’s Diary. In a letter, addressed to him by his uncle, the cardinal, in October, the writer, after congratulating him on his marriage, says,—“Our whole familie was concerned to see you well settled in a condition, on which its honor and prosperitie depends. Both these are abundantly provided for, by allying y^rselfe to so noble a familie, and marrying so accomplished a lady.” Orig. at Norf. H. N^o. 430.

the Duke to visit her, promising that he should “ find her in a more perfect condition, and in a more tractable humour than ever he did see her,” and expressing an anxiety to bring about a reunion between him and “ his dearest lady, whose affection and behaviour, in times coming, would be more to his satisfaction, than in times by gone.”^a How far this intervention proved successful I have not been able to discover: she must, however, have returned to England, where the event unhappily shewed that she had derived but little benefit from the seclusion of a conventual life. The intimacy with Germain was renewed: an adulterous intercourse followed; and, in the winter of 1692, the Duke resolved to apply to the house of peers for a divorce. But the lords were unwilling to act, without “ some proofs of the fact made in the course of the common law;” and the duke was, therefore, driven to the necessity of bringing an action against Germain in the court of king’s bench. The jury easily found a verdict for the plaintiff, with damages of one hundred marks: but the application to parliament was not renewed; and seven years passed away before any further proceedings were instituted. At length, however, in the year 1700, a bill, “ to dissolve his marriage with the lady Mary Mordaunt, and to enable him to marry again,” was a second time brought into the house of lords, and, after some opposition, on the part of the duchess, passed through both houses. It received the royal assent, April the eleventh, 1700.^b

The Duke of Norfolk did not live to derive any benefit from this bill. He died without issue, April the second,

^a Orig. at Norf. H. N^o. 439.

^b Kennet, III. 668, 777.

1701, in the forty-seventh year of his age, and was buried in the sepulchral chapel at Arundel.^a There are several portraits of him. One is a mezzotinto by Becket: another painted by Riley, in 1687, was engraved in mezzotinto by Sherwin: a third, from the pencil of Kneller, was subsequently engraved in a similar style by Smith: and a fourth, which Granger had heard of, but had never seen, is known to have been painted by the same artist, and engraved by White. This also is a mezzotinto.^b 1701.

XXIX.

THOMAS HOWARD, DUKE OF NORFOLK, SEVENTH EARL OF
HIS FAMILY.

Of Thomas Howard, nephew and successor to the last Duke, but little is known. His father, the lord Thomas Howard, partaking of the favours which James the second bestowed on the several members of his family, was appointed by that monarch master of the robes; and subsequently, on the recall of Lord Castlemain, was named to succeed him in his embassy to the Roman court. In the duties of this mission he was employed when James, driven from the throne of his ancestors, was compelled to seek protection on the shores of France. But the misfortunes of his benefactor were unable to shake the fidelity of Lord Thomas Howard. Hastening from Rome, he joined the exiled monarch at St. Germain, united himself with him in his ill-fated expedition to Ireland, and, returning thence

^a “Anno ætatis suæ XLVII^o. ineunte.” See the inscription on his coffin, in the next chapter.

^b Granger, IV. 259. Noble's Continuation, I. 48.

to Brest on some business of importance, was overtaken by a storm, and drowned, in November, 1689. By his wife, Mary-Elizabeth, daughter and sole heir of Sir John Saville, of Copley, in Yorkshire, he left a family of five sons and one daughter, of whom Thomas, the eldest, is the subject of the present notice.^a

1683. This nobleman was born on the seventh of December, 1683;^b and, at the death of his uncle, therefore, when
1701. he succeeded to the dukedom, was only in the eighteenth year of his age. Inheriting from his father the religious principles of the ancient church, he found himself, on his accession to the title, excluded from the privileges of his rank, and subjected, not only to the ordinary fines and forfeitures of recusancy, but also to the operation of an act, which, if enforced, would have deprived him entirely of the patrimony of his family.^c To the catholics the revolution, under any circumstances, could scarcely fail to be the subject of regret; because, as Mr. Butler has observed, "it was the triumph of the protestant, over the catholic, establishment:"^d but when to this feeling the grinding oppression of the most frightful and exasperating enactments was added, when the cheering promise of the late, was superseded by the actual sufferings of the present, reign, and catholics

^a Wood, *Fasti Oxon.* II. 172. Ellis's *Letters*, IV. 156. 2d series. Collins, I. 134.

^b Letter from his father to a friend, announcing his birth. Orig. at Norf. H. N^o. 432.

^c The Act, 10 and 11 Will. and Mary, by which it was provided that all persons, refusing or neglecting to take the oaths of allegiance and supremacy, together with the test, within six months after their attaining the age of eighteen years, should be disabled from taking any estate or interest in any species of landed property.

^d *Memoirs of Eng. Catholics*, III. 134. 8vo.

beheld no prospect of security, either for their property or their persons, but in the sacrifice of their consciences, it could hardly be surprising if they were sometimes tempted to question the legitimacy of the reigning sovereign, and, among the ill-defined notions which prevailed, on the indefeasible right of kings, to discover a sufficient justification for whatever efforts they might make, in behalf of their exiled ruler. That the Duke of Norfolk, descended as he was from a father whose life had been sacrificed in the service of James, would inherit some portion of his parent's affection to the discarded dynasty may be easily believed: that he would be willing to lend his sanction and his assistance to any schemes, possessing for their object the restoration of the Stuarts, and, with it, the abrogation of the penal laws, is scarcely susceptible of a doubt. In fact, the government itself began to discover the tendency of its own severities to promote disaffection among the leading catholics; and resolved, if possible, to redeem its past errors, by the adoption of a more conciliating policy. It was in the summer of 1719, that Dr. Strickland, afterwards bishop of Namur, who was then in London, was employed by George the first to draw up a requisition, to be submitted to the Duke of Norfolk, and some of the principal members of the catholic communion. It called on the catholics to depute some confidential person with letters to the pope and the emperor; to the pope, representing their situation, stating that a prospect of relief was now opening before them, and requesting, as the condition on which they were to "obtain some liberty and security for their religion," that he would publish his "former decree about the oath of allegiance,

1719.

now dormant in the hands of his internuncio at Brussels ;” that he would dismiss cardinal Gualterio, the pretender’s agent, from the office of protector of England, and substitute in his place some other person “no ways obnoxious to this government ;” that he would thenceforth deprive the pretender of all influence in the ecclesiastical affairs both of England and Ireland ; and that he would be ready to withdraw any person from the English mission, whose hostility to the government should be “intimated” to him : to the emperor, signifying the nature of the representation which they had made to Rome ; reminding him of his promise to support such an application ; and requesting his mediation with the holy see. It required that these letters should be subscribed by the Duke of Norfolk, Lord Stafford, Lord Montague, and Lord Walgrave, for the nobility ; and by Sir John Webbe, Mr. Charles Howard, Mr. Stonor, and Mr. Arundel Bealing, for the gentry ; and it concluded with a forcible appeal to these persons, to lend their willing assistance to this negotiation, reminding them that, by withholding their concurrence, they would exhibit themselves as “persons obstinately disaffected,” and that, in that case, “the government would have no means left to secure the peace of the kingdom, but in the real and full execution of the penal laws, and more particularly of the act for transferring the right of succession to the next protestant heir, upon the immediate heir not conforming at the age of eighteen, and of the late register act for taking away the two thirds.”^a The

^a In 1718, an act was passed for appropriating to the use of the government two-thirds of the clear value of all estates belonging to catholics.

paper containing this requisition was placed by Dr. Strickland in the hands of Mr. Secretary Craggs, who immediately attended a meeting of the Duke of Norfolk, Lord Walgrave, and Mr. C. Howard, and laid it before them. Mr. Howard was the only person who objected to the proposed measure: but his difficulties were speedily removed by the reasoning of the other parties, and Strickland was desired to prepare the letters for their signatures. Three days, however, elapsed, and still nothing was accomplished. The resistance of Howard had been renewed; the influence of some Tory friends had been successfully exerted; and Craggs was in the act of writing to Lord Stanhope, to announce the probable failure of the negotiation, when he received the following letter from the Duke of Norfolk.^a

“ Sir,

July 1, 1719.

“ In pursuance of the directions you left with me when I had the honour of seeing you at Mr. Strickland's, I showed the paper you gave me to those of the gentlemen named in it that were in town. The shortness of the time in which we were to give our answer, and the secrecy you enjoined in the affair, has put us under very great difficulties. We were all very unwilling to let any opportunity slip, in which we might show our readiness in coming into any thing, that would show our good intentions; but being but four of those named in the paper, could not venture to answer for the other four, whose signing was required; much less to engage for so many others that are not in town, and if they were, could not be consulted.

^a The account of this transaction is taken from Butler's *Memoirs of English Catholics*, III. 170—179. The duke's letter is there printed among other documents: but, from its connexion with the subject, the reader will scarcely be displeased at its re-appearance in the present work.

This being the chief difficulty, at present it will be needless to trouble you with the objections made to some of the articles, particularly that of application to foreign powers, and we would much rather owe whatever favours we receive to your generous disposition, than to any other solicitation whatsoever; and we cannot but flatter ourselves, that, when more of the parties concerned are in town, you will retain the same favourable intentions towards us you were so good as to own; and I am bold to say, for my own part, and I believe may answer not only for those I have spoken to, but even for numbers, that whenever time gives us an opportunity to meet, and you leave to acquaint them, you will find so suitable and unanimous a disposition in them, to receive the favourable and generous indulgence you are pleased to offer: for my own part, I cannot but conceive great hopes of success in this affair, since it is undertaken by so generous a person as yourself, for the relief of so many distressed people, and which shall always be remembered as the greatest obligation done to, Sir,

“ Your most obedient humble servant,

“ *Mr. Secretary Craggs.*”

“ Norfolk.”

“ The paper you gave me I left with Mr. Strickland.”

Whether this letter were really as satisfactory as Craggs appeared to consider it, or as its concluding assurances might lead him to suppose, may, perhaps, be questioned. At all events, however, a few days were sufficient to undeceive him. After several meetings, in which the better judgment of the other parties had invariably given way before the obstinacy of Howard, they all assembled at the house of Strickland, where the arguments of the latter in favour of the proposed measure were pressed so convincingly upon their attention, that they at length acknowledged themselves satisfied, desired him to draw up the letters, and promised to return in the afternoon, and affix their signatures. Their appointment was punctually kept; “ but their resolu-

tions changed. Charles Howard and the duke withdrew several times into the back room to consult, where, no doubt, the former got the better again of the latter, for they determined at last not to sign, and so left the doctor." The negotiation was now at an end. The duke quitted town immediately, and, though Craggs suggested the expedient of terrifying them into compliance "by tendering the oaths to Howard, and seizing bishop Gifford and Grey (the Earl of Shrewsbury)," we do not learn that the subject was ever afterwards revived.^a

By the government, however, the failure of this measure was not imputed to any motives of disaffection on the part of the catholics. Even Howard is described, in Craggs's last letter, as a "wrongheaded fellow, whose intentions at bottom are otherwise good;" and the Duke himself, as well as Lord Walgrave, is merely represented to have been "overswayed" by his relative. Still, the rejection of a proposal, so reasonable in its nature, could not fail to attach something of suspicion to their conduct. The men who, from whatever motives, could refuse to confirm their allegiance to the existing sovereign, by the trifling act of affixing their signatures to an unimportant document, might, at a more favour-

^a From the letters of Craggs, which are in Butler's *Memoirs of English Catholics*, III. 170—179, it will be seen that the account of this negotiation, as given by the noble author of the *Howard Anecdotes*, is extremely incorrect. "My father," says he, speaking of the Charles Howard mentioned in the text, "used his utmost influence with the gentlemen of that persuasion to come into this measure, . . . but the unhappy infatuation which prevailed among the disaffected party in general . . . would not suffer these people to accept the proposal." pp. 138, 139.

able opportunity, be induced to abandon that allegiance altogether; and the ministry, therefore, was inclined to become more vigilant, and, perhaps, more distrustful, in proportion as these persons manifested a greater unwillingness to guarantee their fidelity to the state. The Duke of Norfolk soon found reason to lament this jealousy, which his own conduct had, probably, been instrumental in producing. In the spring of 1722, the existence of a plot, real or imaginary, for dethroning the king and restoring the pretender, was announced to the government. During the summer, several persons were arrested, and, when parliament assembled, in October, the proofs of the conspiracy had been so far matured, and the parties, to whom suspicion was attached, had become so numerous, that the king thought it necessary, at the opening of the session, to address the two houses on the subject, and call on the legislature to adopt some instant measures “for the quiet and safety of the kingdom.” On the same day, a bill for the suspension of the habeas corpus act was presented to the lords, and ultimately carried through both houses: the permission of parliament was readily granted for the detention of the persons already imprisoned; and, a few days later, the Duke of Norfolk, who was then at Bath, was suddenly arrested, brought before the privy council, and committed to the tower, on suspicion of high treason. A clause, however, in the new bill had provided that no member should be imprisoned, during the sitting of parliament, without the consent of the house to which he might belong; and Lord Townshend, therefore, was immediately instructed by the government to acquaint the peers with the committal of the duke, and request

their acquiescence in his confinement. The opponents of the suspension act instantly took fire. The application, they thought, was both irregular and dangerous. If the government wished the house to sanction their proceedings, let them state the grounds on which they had acted; let them produce something more specific than mere suspicion. They charged the duke with treason; let them bring forward the proofs, and let them not call on the house to establish a precedent, which would place every peer of parliament at the mercy of an arbitrary minister. This reasoning, however, failed of its effect. The question was pressed to a division; and, after a long and stormy debate, the order for Norfolk's committal was confirmed by a vote of the lords.^a

But the suspicion, whatever it were, which led to his apprehension, was never verified by the evidence of a public trial. Though tradition still offers its testimony to the fact, that he had contributed large sums of money in aid of the pretender, the ministers were unwilling, or, what is more probable, were unable, to adduce any direct proof of his criminality. The existence of an unexplained correspondence, carried on, through the intervention of a Mrs. Spelman, between him and an agent of the pretender, named Jernegan, was all that was charged against him by the committee of enquiry; and, after a confinement, therefore, of little more than six months, he was admitted to bail, in company with Lord Orrery, Lord North and Grey, and several others, who had been arrested on similar accusations.^b

1723.

^a Tindal, Continuation, IV. 659—664.

^b Ibid. 667, 674. There is a story still circulated among the older

1732. From this period, we hear nothing of the pursuits or the projects of the Duke of Norfolk. He died in London, without issue, on the twenty-third of December, 1732, leaving his duchess, Mary, daughter and heir of Sir Nicholas Shirburne, of Stonyhurst, in Lancashire, surviving. He was buried in the south vault of the sepulchral chapel, at Arundel.^a

XXX.

EDWARD HOWARD, DUKE OF NORFOLK, EIGHTH EARL OF HIS FAMILY.

1685. Edward, the third son of Lord Thomas Howard, was born in the year 1685. His second brother, Henry, had died unmarried, on the twenty-second of November, 1720;^b and, on the demise, therefore, of the last duke,
1732. he succeeded to the titles and estates of the family. It was the happy fortune of this nobleman to open the first access for catholics to the notice of their sovereign,

friends of the family, to the effect, that this duke, having exhausted every other source of supply, at last melted down a large portion of the family plate, and converted it into money, for the use of the pretender. It is, perhaps, a confirmation of the truth of this anecdote, that, of the coronation-cups, still preserved, the earliest is that which was received by Edward, the brother and successor of this duke.

^a Dodd, III. 446. Collins, I. 134. His will, which limits the expenses of his funeral to £200., is dated May 26, 1730, and appears to have been proved on the 31st of January, 1733. The duchess afterwards re-married with Peregrine Widdrington, Esq., and died Sept. 24, 1754. Collins, I. 135.

^b Collins, I. 134. He was a clergyman of the catholic church. Dodd, III. 446.

and to the good opinion of their fellow-subjects. In the year 1727, he had married Mary, daughter and co-heir of Edward Blount, of Blagdon, in Devonshire, Esq.; and some attentions, which the duke, in conjunction with this lady—both of them catholics—had an opportunity of shewing to Frederick, prince of Wales, during the variance between his royal highness and George the second, his father, laid the foundation of much of that benevolent feeling towards the professors of the obnoxious faith, which is known to have been entertained by the second sovereign of the house of Brunswick. The prince had been ejected from the palace by the order of his father, and, with the princess, had found a temporary residence in Norfolk House, where their son, afterwards king George the third, was born. “The duke and duchess,” says Butler, “conducted themselves, on this occasion, in a manner highly pleasing both to the parent and the son, and to the consorts of each. It was signified to them, that their frequent attendance at court was expected; and queen Caroline often invited the duchess to her private parties. The duchess was gifted with great talents: was easy, dignified, and, when she pleased, singularly insinuating. Her grace, lady Clifford, and the lady of Mr. Philip Howard, were daughters and co-heiresses of Mr. Edward Blount, the early patron and correspondent of Pope. Through Pope, she became acquainted with Mr. Murray, afterwards Lord Mansfield—in his early life,—while he yet lived at No. 5, in King’s Bench Walks,—where he is so well described by the bard—

‘ To *number five* direct your doves :

There, spread round Murray all your blooming loves ;

Noble and young, who strikes the heart
 With every sprightly, every decent part :
 Equal the injured to defend,
 To charm the mistress or to fix the friend.'

She loved business. Her talents for it, and her high rank, made her the refuge of the catholics in all their vexations ; and she availed herself of her intimacy with Lord Mansfield to render them every service in her power. Her house was the centre of whatever was great and elegant, in either communion ; and, by familiarizing them with one another, their prejudices were softened, and their mutual good will encreased."^a

In the mean time, however, the Duke of Norfolk continued in that seclusion from public life, to which his religious opinions condemned him : and his mind, unemployed by other more important concerns, was, not unnaturally, turned to the improvement and embellishment of his own estates. Of his taste in architecture both Norfolk House, in St. James's Square, and Worksop Manor, in Nottinghamshire, the ancient seat of the Earls of Shrewsbury, are still the splendid monuments. He had, at an early period, determined on the restoration of the latter, and had, in fact, but just completed his design, when, in 1761, an accidental fire totally destroyed the new building. Not discouraged by this calamitous event, he at once resolved to repair the misfortune. The rubbish was removed, the ruins were cleared away, and, on the twenty-fifth of March, 1763, he conducted his nephew and heir, Mr. Edward Howard, to the site, and, in his company, laid the foundation of the present magnificent pile. Of the original design,

^a Memoirs of English Catholics, III. 282.

however, this building forms but a part. From the published plans of the architect, we know that it was intended to consist of four fronts, inclosing a circular Egyptian hall: but circumstances occurred to arrest the execution of the work, and the edifice was never completed.^a

Edward, Duke of Norfolk, died without issue, on the twentieth of September, 1777, in the ninety-second year of his age, and the forty-sixth from his accession to the dukedom.^b Still remembered by a few, who are yet lingering on the verge of life, he is ever named among the poor with affection and veneration. Considerate and indulgent towards all, his life would seem to have been prolonged beyond the ordinary term, only to extend the period of his usefulness; and when, at length, the grave closed over him, there was many a heart entombed in the same sepulchre. Yet, he lived to behold the wreck of much that could have endeared existence to him. His duchess died in May, 1773: his nephews, to whom he looked for the succession of his house, were cut off in the prime of youth; and the honours of his family were about to pass away from his own line, to settle on that of a distant relative. At his death, the earldom of Norwich, with the barony of Howard of Castlerising, granted by patent to Henry, Duke of Norfolk, became extinct: while the baronies of Mowbray, Howard, and the others created by writ, fell into abeyance between his nieces, and from them passed to their descendants, the lords Stourton and Petre.^c His

^a Plans and Elevations of Houses, by James Payne, 2 vols. folio, 1783.

^b Inscription on his coffin, post.

^c See the genealogical table.

remains were removed from Norfolk House, where he died, on Wednesday, October the first, and, on the following day, were deposited in the south vault of the sepulchral chapel, at Arundel.

XXXI.

CHARLES HOWARD, DUKE OF NORFOLK, NINTH EARL OF HIS FAMILY.

By the death of Edward Howard, nephew to the last duke, in 1767, and the consequent failure of male issue in the elder stock, the succession, on the demise of duke Edward, devolved on the next remaining branch, the descendants of Charles Howard, fourth son of Henry-Frederick, Earl of Arundel. That gentleman derived his distinctive appellation from Greystoke, a barony in Cumberland, which, under the will of his father, was adjudged to him, in 1681, by a decision of the chancellor, Finch, against the Duke of Norfolk, Lord Mowbray, and other trustees.^a He was a man of retired habits, and unassuming manners, whose means were devoted to the relief of the indigent, and whose leisure was principally employed in improving and ornamenting his beautiful villa of Dibden, or Deep Dene, near Dorking, in Surrey.^b He died on the thirty-first of

^a See "Arguments of Finch, Earl of Nottingham, &c. on which he made the decree, in the cause between the Hon. Charles Howard, Esq. plaintiff, and Henry, late Duke of Norfolk, Henry, Lord Mowbray, his son, Henry, Marquess of Dorchester, and Richard Marriott, Esq. defendants ; wherein the several ways and methods of limiting a trust of a term for years are fully debated." Lond. 1685, folio.

^b Aubrey, in his Perambulation of Surrey (IV. 164), has given an

March, 1713, leaving, besides a daughter, an only surviving son, Charles. The latter, whose death occurred on the tenth of June, 1720, married Mary, daughter of John Aylward, of Waterford, Esq., and by her had three sons and three daughters, of whom Charles, the second son, became the inheritor of the family honours, and is the subject of the present notice.^a

Charles Howard, Duke of Norfolk and Earl of Arundel, was born on the first of December, 1720.^b He was brought up in the tenets of the ancient church: but the means of instruction were denied at home to the catholic youth of his time; and, at an early age, therefore, he was sent to the continent for the benefit of his education. On his return, he found, of course, that his religious opinions would necessarily exclude him from the honours and emoluments, usually accessible to persons of his rank. His principles, however, were not less firm than his convictions; and, in his love of study, and his taste for polite literature, he soon found an agreeable refuge from the neglect and the persecutions of the world. In 1764, he published his first work, entitled “Considerations of the Penal Laws against the Roman Catholics in England, and the newly acquired Colonies in America, in a Letter to a Noble Lord:” in 1768, he produced his “Thoughts, Essays, and Maxims, chiefly Religious and Political:” and, in the following year, he gave to the world the “Historical Anecdotes of some of the Howard Family.” This last work, which contains

interesting account of his visit to this hospitable spot, as well as of its proprietor, “a christian philosopher, who, in this iron age, lives up to the modesty and solitude of the primitive times.”

^a Collins, I. 127.

^b Stem. famil.

some curious information, was originally undertaken with a different view. The author had proposed to republish, in a corrected form, the poems of his illustrious ancestor, the Earl of Surrey, and had prepared a biographical notice of the poet, to be prefixed, as an introduction, to the volume. But, before it was printed, he learned that “an ingenious gentleman”—probably Dr. Percy—had already engaged in the same task.^a The design was consequently abandoned: materials of a more miscellaneous nature were brought together; and the biography of Surrey was extended into the “Historical Anecdotes” of his family. It was reprinted in 1817.

1777. By the death of his cousin, Edward, Duke of Norfolk, in 1777, Charles Howard found himself in possession of his ancestral dignities: but, in the splendour of the dukedom, his literary pursuits seem to have been forgotten, and we henceforth hear nothing of him in the character of an author. On his present eminence, indeed, he appears to have felt, more sensibly than ever, the persecuting temper of the times. If, during the nine years that elapsed from his accession to his death, his name is ever mentioned in the public records of the age, it is solely in connexion with some petition for relief from the pressure of the penal laws:^b whilst the

^a Percy's edition was printed, but never published, the whole impression having been consumed in the destructive fire, which took place in Mr. Nichols's premises, in February, 1808. Watt, *Biblioth. Britt. Art.* ‘Howard E. of Surrey.’

^b The address from the English catholics, presented to the king, in 1778, and followed by the repeal of certain penal clauses in the act 10 and 11 Will. 3., was signed, amongst others, by the Duke of Norfolk and the Earl of Surrey. Butler, *Mem. of Eng. Cath.* IV. 288.

anecdotes, still related of his eccentric manners and more eccentric habits, bear sufficient testimony to the feeling which weighed continually on his mind. The following, however, drawn by himself, at a somewhat earlier period, is the picture of an amiable and sensible man. It forms the conclusion of his "Anecdotes:"^a—

"This attempt," says he, "I don't mean as a chit-chat of my ancestry, being sensible that nothing can be more ridiculous, than for a man to presume that the honour, resulting from the good works of his ancestors, devolves to him in right of blood only, without his taking the least pains to shew, by his own good works, that their blood is still inherent in him,—a cheap way indeed of purchasing honour!—so cheap, that the world will, very justly, never admit it. It is from a man's own merit, or demerit, only, that he can expect to rise or fall in the opinion of the sensible part of the world.

'Honour or shame from no condition rise,

'Act well your part, and there true honour lies.'

"The fool or knave may hold forth to view a long list of noble and worthy ancestors; but what other purpose does it answer, than to place him in a more conspicuous degree of contempt? My motive in attempting this detail was, to furnish my well-disposed readers with some amiable pictures of a good life, which may be pleasing in the view, and beneficial in contemplating. That they happened to be those of some Howards, and not of any other name, was only occasioned by my being, from my connexions, more familiar with them. The life of a good man I always contemplate with plea-

^a P. 144.

sure ; and this I look upon to be the most pleasing, as well as instructive, part of history, inasmuch as it proposes to every man, in private life, worthy examples, which are within his power, for the most part, to imitate : a benefit which he seldom finds in the voluminous accounts of the rise and fall of empires, with which every library abounds. It is certainly pretty to know the precise time, to a day, at which the battle of Pharsalia was fought, or any other memorable event happened : but does not the humane mind pay too dear for this knowledge, when it surveys the carnage of the field ? When I look at some thousands of men, slaughtering each other with unrelenting fury, for the wise purpose only of deciding whether they, and many millions more, shall be slaves to A or to B, an Alexander, a Cæsar, or a Charles of Sweden,—sometimes half roasted by the parching heat of the sun, and, at other times, almost frozen to death, or perhaps wading up to their chins in a river, that after ages may know that the greatest dangers, fatigue, or trouble could not deter them from their fixed resolution of doing as much mischief to mankind as was in their power,—I withdraw my eyes from such hateful scenes, lamenting the depraved state of man, and retire, with comfort and tranquillity, to my villa at Dibden (which I am now endeavouring to restore to its primitive state of rural elegance), and view the more useful, though perhaps less happy, merchant or mechanic, who, while he is accumulating a comfortable subsistence for his growing issue, is strengthening the powers of the state, and giving bread to many industrious families. In short, agreeable to the adage, which tells us that example is better than precept, it is from such reviews

only, that we are most likely to get the best aids, next to those in holy writ, which are necessary to direct and enable us to fill our places in society, with comfort to ourselves, and utility to others."

Charles, first Duke of Norfolk of that name, died on the thirty-first of August, 1786, in the sixty-eighth year of his age, and was buried, with his immediate ancestors, at Dorking, in Surrey. By Catherine, second daughter, and at length heir, of John Brockholes, of Clayton, in Lancashire, Esq., whom he married in 1739, he had issue, Charles, his successor, and Mary, who died unmarried.^a The duchess deceased on the twenty-first of November, 1784, in the sixty-sixth year of her age, and was interred at Arundel.^b

1786.

Besides the portrait of the Duke, already mentioned among those in Arundel Castle, there is another, sitting in his robes, engraved by Holloway in 1792.

XXXII.

CHARLES HOWARD, DUKE OF NORFOLK, TENTH EARL OF HIS FAMILY.

This nobleman was born on the fifteenth of March, 1746, and received a part, if not the whole, of his education, in the English college at Doway. On the accession of his father to the dukedom, in 1777, he assumed the titular distinction of Earl of Surrey, and, having conformed to the rites of the established church, was, in 1780, elected to serve in parliament for the city of Car-

1746.

1777.

1780.

^a Collins I. 137. Stem. famil.

^b Inscription on her coffin, in the next chapter.

1782. lisle. Two years later, he was appointed by his father, with the approbation of the king, to act as deputy Earl Marshal. At the same time, he was made lord lieutenant of the west riding of Yorkshire, and colonel of its militia ;
1783. and, in the following spring, became one of the lords of the treasury, under the administration of the Duke of Portland. With that minister, however, he retired from office, at the end of a few months ; resumed his place in the ranks of the opposition ; and, on the death of his
1786. father, carried his hostility with him to the benches of the house of lords. At length, his resistance to the measures of the cabinet, as chairman of the Whig Club,
1798. induced the government to remove him both from his civil and military appointments in Yorkshire : but the accession of the Grenville ministry restored his influence at court, and, on the demise of the Duke of Richmond,
1806. in 1806, he was nominated to the lord lieutenancy of Sussex, and the colonelcy of the militia of that county. With his architectural employments at Arundel the reader is already acquainted. He died at Norfolk House,
1815. on the sixteenth of December, 1815, and was buried in his family vault, at Dorking.

Charles, late Duke of Norfolk, was doctor of the civil law, in the university of Oxford, president of the Society for the encouragement of arts, manufactures, and commerce, and fellow of the Royal and Antiquarian Societies. He was twice married : first, to Mary Anne, daughter and heir to John Coppinger, Esq. of Bally-mallow, in the county of Cork ; and secondly, to Frances, daughter and sole heir of George Fitzroy Scudamore, Esq. of Holm-Lacy, in Herefordshire, by Frances, duchess dowager of Beaufort, daughter and heir of

James, Viscount Scudamore. Neither of these ladies brought him any issue; his honours, therefore, passed to the next surviving heir, the great-grandson of Bernard, eighth son to Henry-Frederick, Earl of Arundel; and he was, accordingly, succeeded by

XXXIII.

The most noble, BERNARD-EDWARD, present and twelfth Duke of Norfolk, ELEVENTH EARL OF ARUNDEL OF HIS FAMILY, Earl of Surrey and Norfolk, Baron Fitzalan, Clun and Oswaldestre, and Maltravers, Earl Marshal and Hereditary Earl Marshal of England, Member of his Majesty's most honourable Privy Council, F. R. S. and S. A.—His grace was born at Sheffield, on the twenty-first of November, 1765; by a special act of the legislature was restored, in 1824, to the exercise of his hereditary office of Earl Marshal, from which he had been excluded by his religion; and, on the passing of the catholic Relief-bill, was admitted to the full exercise of his ancestral privileges. He took his seat in the house of lords, on the twenty-eighth of April, 1829; and was shortly after sworn of the privy council. By his marriage with Elizabeth, third daughter and coheir of Henry, Earl of Fauconberg, he has one son, Henry Charles, Earl of Surrey, the heir apparent to his titles.

CREATIONS. Duke of Norfolk, and Earl of Surrey, by patent, June 28, 1483:^a restored in parliament as Earl of Surrey, in 1488:^b Earl of Surrey and Duke of Norfolk, by patent, Feb. 1, 1514:^c Earl of Arundel, by

^a Pat. 1 Ric. 3. p. 1. m. 18. Stow, 459.

^b Rot. Parl. VI. 410.

^c Pat. 5 Hen. 8. p. 2. m. 11 and 18.

inheritance and possession of the Castle and honour of Arundel, as acknowledged and declared in parliament, November, 1433:^a Baron Fitzalan, Clun and Oswaldestre, and Maltravers, in 1627,^b inherited from the ancient Earls of Arundel: Earl of Norfolk, by patent, June 6, 1644:^c restored Duke of Norfolk, with the original precedence, by act of parliament, December 29, 1660, and December 20, 1661:^d Hereditary Earl Marshal of England, by patent, October 19, 1672.^e

ARMS. 1°. Gules, on a bend between six cross crosslets fitché argent the augmentation of Flodden, namely, or, a demi lion pierced through the mouth with an arrow, within a double tressure flory, counterflory, gules: *Howard*. 2°. Gules, three lions passant in pale or, a label in chief argent: *Brotherton*. 3°. Chequy or and azure: *Warren*. 4°. Gules, a lion rampant argent: *Mowbray*. 5°. Azure, a lion rampant crusuly or: *Breaus of Gower*. 6°. Gules, a lion rampant or: *Fitzalan, Earl of Arundel*. 7°. Sable, a fret or: *Maltravers*. 8°. Gules, three escallops argent: *Dacre*. 9°. Barry of ten, azure and argent, three chaplets proper: *Greystoke*.

CREST. On a chapeau gules, turned up ermine, a lion statant guardant or, his tail extended, gorged with a ducal coronet argent.

SUPPORTERS. On the dexter side, a lion argent, for *Mowbray*: on the sinister, the white horse of *Arundel*.

MOTTO. Sola virtus invicta.

^a Rot. Parl. IV. 443.

^b Act, 3 Car. 1.

^c Pat. 20 Car. 1.

^d Acts, 12 and 13 Car. 2.

^e Pat. 24 Car. 2.

CHAPTER IX.

ECCLESIASTICAL FOUNDATIONS.—ANCIENT PAROCHIAL CHURCH, AND
 PRIORY OF ST. NICHOLAS—CHAPEL OF ST. MARTIN IN THE KEEP
 —CHAPEL OF ST. GEORGE—COLLEGE OF THE HOLY TRINITY.

THE earliest ecclesiastical establishments at Arundel, of which any record has been preserved, are the chapel of St. Martin, in the Keep, and the parochial church of St. Nicholas. They are both mentioned in Domesday, the former as enjoying an annual rent of twelve pence, payable by one of the burgesses of the town; the latter as endowed with a permanent revenue of twenty-four shillings, derived from the customs of the borough, together with twenty-six hides of land, in the Earl's manor of South Harting.^a Of these, however, the parochial church may, in all probability, claim the precedence in point of antiquity, as it certainly must in importance, and extent of possession. The date of its foundation is not known; and the disappearance of every vestige of the original building has removed even the possibility of conjecture on the subject: yet, there will not, perhaps, be much temerity in saying, that the four centuries, which elapsed, between the introduction of christianity into Sussex and the Norman conquest, would scarcely pass away, without witnessing the erection of a religious edifice in the town; and that the establishment of the parochial church would, in a populous

Ancient
 parochial
 church.

^a Domesd. 23. a 1 and 2.

district, more naturally precede, than follow, that of any place of private devotion.^a It appears to have been a building of considerable consequence. It consisted of a choir and nave, the latter separated by an enclosure from the former, and extended, probably, on each side, by the addition of aisles. Four chapels, at least, were contained beneath its roof. The names of "St. Catherine's chancel," "the chancel of St. Leonard," that of "St. Giles," and the "chapel of the Blessed Virgin," still survive: and the bells, which are mentioned as a source of serious expense to the parishioners, evidently proclaim the existence of a tower of some magnitude.^b

Priory of
St. Nicholas.

The transfer of property, and the division of the country among the Norman followers of the Conqueror, immediately after the battle of Hastings, produced almost as great a change in the ecclesiastical, as in the civil, polity of the kingdom. The new proprietors were not backward in exercising the rights of ownership: foreign ecclesiastics were introduced into all the more valuable

^a Mr. Dallaway, indeed, has asserted that "the original ecclesiastical foundation in Arundel was that of the alien priory, or cell, dedicated to St. Nicholas," and "so established by Roger de Montgomerie" (R. of Arund. 193, N. Ed.): but he had before told us (R. of Chichester. Prelim. Hist.), that the alien priory of St. Nicholas was founded, not by Roger Montgomery, but by Hugh, his son, and *that too*, in the year 1100—two years *after the death of the said Hugh!*

^b Ordinance of Bishop Ralph, MS. in possession of the vicar. The principal part of this document will be found under the account of the vicarage, in the following chapter. The chapel of the Blessed Virgin is mentioned in the confirmation bull of pope Innocent IV. to the abbey of Seez, dated April 11, 1248. Gallia Christiana, XI. Instrumenta, 172.

livings: foreign abbeys were endowed with churches and benefices in every part of the island; and colonies of foreign religious were brought over, to establish their priories, or cells, to perform the duties of the several churches, and to protect the interests of the numerous estates conferred on the parent institution.^a Among the possessions destined to swell the grandeur of the Norman abbeys, the parochial church of St. Nicholas, at Arundel, was not forgotten. Roger Montgomery, though not the founder, had been the restorer, of the Benedictine abbey of Seez.^b The immense territory, which he acquired in England, enabled him to enhance the splendour of the foundation, by conferring some portion of his new property on the favoured establishment: and accordingly, we find, that various extensive tracts of land, together with churches, mills, fisheries, and their several appurtenances, in Sussex and elsewhere, are enumerated, in Domesday, as the appendages of the church and abbey of St. Martin de Sais.^c To watch over the interests of the community in these estates, and to obviate the inconveniences inseparable from distant and stipendiary agencies, the

^a Eadmer, l. 1. p. 6. Orderic, 262—264.

^b “Roger de Montgomery, et Mabile sa femme furent restaurateurs, et non les fondateurs, de l’abbaye et monastere de S. Martin de Sees, comme il appert par les anciens tiltres et enseignements de la dite abbaye.” MS. Collect. of A. Du Chesne, apud Dugd. Mon. I. 568. The original foundation at Seez was established by St. Evroul, about the year 560. But it had subsequently fallen into decay, and had been deserted by its inmates, when Roger Montgomery, at the suggestion of his relation, Ivo, Bishop of Seez, undertook, about the middle of the eleventh century, to restore it. See Gallia Christiana, XI. 712, 713.

^c Domesd. 24. a. 2, 25. a 1, and b 1.

Founded
by Roger
Montgo-
mery.

monks soon discovered the necessity of selecting some members of their own body, and settling them, if possible, in the neighbourhood of their new domains. Hence arose the Priory of Arundel. It was shortly before the death of Earl Roger, in 1094, that a grant from that nobleman enabled them to commence the erection of a house, for the habitation of the future colony; whilst a further donation, from the same patron, of certain lands, advowsons, and other possessions, provided for its permanent support. The foundations of the new priory were laid on the site of a decayed dwelling, probably within the town, yet at a distance from the church: but, during the stormy career of Hugh Montgomery, and Robert Belesme, the two successors of Earl Roger, the progress of the buildings seems to have been slow, so that it was not until the year 1102, that the house was ready for the reception of its inmates. Before that period, Arundel, with its dependencies, had been forfeited to the crown. Henry, however, willingly offered his patronage to the infant priory: four monks, from the abbey at Seez, were selected as the occupants of the new establishment; and a fifth, named Gratian, appointed by the abbot for that purpose, was intrusted, in the character of prior, with its superintendence. Before the end of the year, Gratian, with his little community, had taken possession of the priory; and, from that time till the death of William de Albini, first Earl of Arundel of his family, in 1176, the monks, confined to the quiet and unostentatious discharge of their conventual duties, appear to have attracted little notice, and to have left no record, by which we might trace their history, or watch the progress of their institution.

But another sphere was about to open for their exertions. Hitherto, as the reader will have observed, the priory existed as a separate and private foundation: it was now to be associated with the more public offices of religion. In 1178, the rectory of Arundel had become vacant; and William de Albini, the second Earl of his family, proposed, by annexing it to the priory, to consolidate the two establishments, and unite the parochial, with the conventual, church. His offer to this effect was, of course, gladly accepted. The former priory was forthwith abandoned by its inmates, and the rectorial dwelling, adjoining the church, was converted into a residence for the prior and his monks. Thus occupied, it continued, during two centuries, to be known as the convent, or priory, of St. Nicholas, till other views and other wants suggested a further change, and another and a greater institution arose, to absorb its predecessor, and be itself, in turn, absorbed by something else.^a

It is removed to the Rectory.

^a This account is founded on the authority of the escheat, 3 Ric. 2. No. 160, the principal part of which will be found in the Appendix, No. VII. When Richard, Earl of Arundel, applied, in 1380, for license to convert the priory into a college, the king sent down his escheator, Robert Loxley, to make enquiry into the circumstances of the case. Loxley empannelled a jury, a large body of evidence was examined, and the jurors at length reported, upon oath, that, having carefully inspected the charter of Roger Montgomery, together with the other authentic writings of the priory, they were satisfied, that the history of the origin and translation of the establishment, then recited by them, was correct. This history I have embodied in the text. Of its accuracy it is no trifling confirmation, that, in the list of benefactors to the abbey of Seez, published in the Gallia Christiana, the only names, of persons possessing Arundel Castle, are those of Roger Montgomery, Henry I.

Election
and autho-
rity of its
superiors.

Of the rule professed by these religious, that of the parent abbey affords a sufficient indication. They were Benedictines, and continued, after their removal to England, to pursue the same mode of life to which they had formerly been accustomed at Seez. The prior was chosen by the abbot and convent, and by them presented to the bishop of Chichester, for institution. The ceremony of admission, or induction, was then performed: and the new superior, proceeding to the Earl, usually offered himself to him, in token of dependence, acknowledged him as the patron of the priory, and declared himself his humble orator and chaplain. Beyond this nominal submission, however, but little was exacted by the Earls, or yielded by the inmates of the convent. Any attempt to impose the performance of a more substantial homage upon them was strenuously resisted; and even the demand of prayers for the souls of the deceased, or for the health of the existing, lords, was sometimes resolutely, but not, perhaps, very gratefully, refused. An instance of this occurred at the latter end of the twelfth, or in the early part of the thirteenth, century. One of the Earls of Arundel had requested the performance of certain prayers, in the church of the priory; but the existing prior, Nicholas, on the part of the monks, had rejected the application, and asserted their absolute immunity from every species of service to the patron. Irritated by this proceeding, the Earl resolved to make the offenders feel the weight of his

king of England, and William de Albini, Earl of Arundel,—the very persons whom this account represents to have been instrumental in founding and endowing the priory. See Gallia Christ. XI. 714.

resentment, and demanded to know by what title they held the appropriation of the church in question. The religious, it would seem, were unable to substantiate their claim, by the production of any legal document: Arundel, on the other hand, confirmed in his opposition by this inability, continued to maintain his right of unqualified patronage; and a long course of irritating and expensive litigation ensued, in which the piety, though not the violence, of the respective parties was rapidly evaporating in "strife and brawling." In this state, the controversy was, at length, referred to the decision of the bishop of Chichester. Each party, together with its "reasons," sent in its "letters of submission;" and an award was subsequently pronounced, in which, after reciting the subject in dispute, and the dangers likely to arise from its continuance, the bishop declares, that, having "thoroughlie thought on and considered, as well the vexacions of the said parties, as the heap of costes and charges, often tymes of the goods of the chirch, about the suite of the premises divers waies laid out," he has come to the determination of pronouncing the following decree:—"That the said religious, the prior of Arundell, and monks, and their successors, cause to be devoutlie cellebrated amongst them, by turne, by the moneth, one masse for the soules of the Earles of Arundell deceased, of whose names it shall and will lawfully apeare: another masse for the Earle living, for the tyme being, by fifteene daies: and that the said church of Arundell, with all the rights to the rectorie or parsonage of the same belonging, may fully remayne, and bee for ever hereafter, to the said religious, the prior of Arundell and monks and their successors, appropriated, to be

possessed to their owne uses, except the great tithes of the lands underwritten, assigned to the augmenting of such vicaridg. And the same church of Arundell to them, of our liberallity, wee doe appropriat, saving the perpetuall vicaridg in the church aforsaid." By this decision the contest was terminated for the present. But the monks, though sufficiently tenacious of the property which it secured, were not equally scrupulous in discharging the obligations which it imposed: other disputes, and other decisions, of a similar nature, followed; and, at the period when the priory was about to merge in the college, the commissioners reported, that the duty of praying for the deceased, and surviving patrons of the house, though sometimes performed, had frequently, also, been neglected.^a But, if the community

^a Esch. 3 Ric. 2. N^o. 160. Ordinance of Bishop Ralph, MS. in possession of the vicar. With regard to the date, as well as to the real author, of this ordinance, there is much uncertainty. Both the documents here referred to ascribe it to Bishop Ralph: but they also date it April 26, 1158, a period, at which Hilary, and not Ralph, was presiding over the see of Chichester. The escheat, however, mentions Hugh, Earl of Arundel, as the person engaged in the dispute with the priory: yet, as there were two Earls of that name, and each contemporary with a bishop, called Ralph, the difficulty will scarcely appear to be diminished. To me there seems to be an error both in the names, and the date. From the copy of the ordinance, which still remains, two things are evident; first, that it was issued *after* the translation of the priory to the rectorial dwelling: secondly, that it formed the ground of a subsequent decision, pronounced by bishop Simon de Welles. Now the translation of the priory took place in 1178; and the death of bishop Simon must have occurred, as early as September, 1207: it is clear, therefore, that the ordinance in question was published, at some period between those two years; and it is equally certain, that, during that time, there was neither a Ralph, bishop of Chichester, nor a Hugh, Earl of Arundel.

were thus independent of its acknowledged patron, it was not less so of the abbey, to which it was attached as a cell. With the election of the prior, the whole influence and authority of the abbot terminated. From that moment, the new superior assumed a separate and uncontrolled jurisdiction. He admitted new members to the society; reproved the negligent; punished or dismissed the refractory; and presided over the whole administration of the convent. Under the authority of a common seal, he made grants and purchases of lands and other property; and received, and appropriated to the benefit of the priory, the entire revenues accruing from the various possessions, which constituted the endowment.^a

Of the original extent of those possessions we have no information. That they were sufficiently ample may be inferred from the fact, that, by the middle of the century immediately following their establishment, the monks found themselves in a condition to bestow the manor of Drungewick, which they had previously obtained for their own use from the prioress of Cheshunt, on the episcopal see of Chichester.^b At the period of pope Nicholas's survey, in 1291, their only appropriation was that of Arundel: yet the property then attached to the convent was valued at the yearly sum of £32. 17s. 2d.;

Property of
the Monks.

^a Esch. ut sup.

^b Cart. Prior. et Convent. de Arundell, de terris apud Durringewycks, apud Dugd. Monast. III. 126. It is addressed to "John, bishop of Chichester," whom, from a transcript of one of bishop William Rede's MSS. in the possession of the dean and chapter of Chichester, fol. 170^b, we know to have been John the second, surnamed "De Clymping." He succeeded St. Richard, in the see of Chichester, in 1253, and died, in 1262. Godwin, 506.

an income, which, a few years later, had swollen to the amount—not inconsiderable in those days—of £91. 17s. 2d.^a The reader will, perhaps, deem it singular, that this augmentation in the extent and value of their endowment should have originated in the very circumstances which might have been expected to produce an

^a Taxat. P. Nicolai, 135, 139, 141. Rede's MS. ut sup. fol. 251^b. The latter contains the following valuation of the property.

Spiritualia Prioratûs de Arundel—

	£.	s.	d.
Ecclesia de Arundel	8	0	0
Ecclesia de Rustington	20	0	0
Ecclesia de Hampton	6	13	4
Ecclesia de Yapton	10	0	0
Ecclesia de Billinghamurst	10	0	0
Ecclesia de Kirdford	16	13	4
Ecclesia de Cocking	6	13	4
	£78 0 0		

Portiones et Pensiones Prioratûs Prædicti

In Preston	0	13	4
In Harting	1	0	0
In Bourne	1	6	8
In Stoughton	0	13	4
In Goring	1	6	8
	£ 5 0 0		

Temporalia Prioratûs Prædicti

Apud Yapton	6	3	0
Apud Arundel	0	19	6
Apud Cocking	0	8	0
Apud Rogate & Harting	1	6	8
	£ 8 17 2		
	Sum ^a £91 17 2		

To the value of the possessions in Arundel, however, should be added fifteen quarters of wheat, and the same quantity of barley, which the priory received annually from the Swanbourne mills. Inquis. fact. apud Arund. in vigil. Trinitatis, A^o. 56 Hen. 3.

opposite result. Such, however, is the fact. In the year 1337, the continued and encreasing expenses of the French wars suggested to Edward the third the possibility of making the alien priories contribute to the relief of his exigencies; and commissioners, therefore, appointed for the purpose, were despatched to the various establishments, with directions to seize them for the royal use. In most instances, the tyrannical mandate was carried into effect. The goods of the proscribed convents were plundered, their lands and tenements were confiscated, and the whole, let out to farm, continued, during twenty-three years, to minister to the necessities and the ambition of the monarch. Amidst this general proscription, the priory of Arundel, though more fortunate than most of its sister institutions, was not likely to escape the visitation of the spoiler. As an independent establishment, indeed, whose revenues were appropriated to its own support, and whose connexion with a foreign abbey was scarcely more than nominal, it might fairly claim an exemption, which many others were unable to plead. Yet, if this averted the confiscation of its property, it could not entirely protect it from the avarice of the king. Edward had resolved to supply his wants from the revenues of the alien convents: and the monks of Arundel were glad to compound for the security of their possessions, by submitting to an annual tax during the continuance of the war.^a

They are
taxed by
Edward
III.

^a Stow (p. 234), having represented *all* the alien priories as included in this proscription, says, on occasion of their restoration, in 1360, that Edward addressed "letters of restitution" to the prior of Arundel, announcing that the convent, "with all the lands, tenements, fees, advowsons, together with the goods and chattels belonging to

They suffer
from a pes-
tilence.

This arrangement, it will be thought, was, on the whole, more favourable to the religious than might have been expected: from another and more awful visitation they were not equally fortunate in escaping. The pestilence, which from India had been transported into Europe, and, after ravaging the Grecian islands, and the shores of the Mediterranean, had swept through Italy, and crossed the barrier of the Alps into France, at length made its appearance on the coast of England, in the autumn of 1348. It was first discovered at Southampton: thence it rapidly advanced along the

the same," were again released to him, to be held "in as free manner as they were held before" (p. 265). If such letters were really addressed to the prior of Arundel, it is clear, that they must have been intended simply to announce the return of peace, and the removal of the tax, to which the priory had been subjected; for, that its "lands, tenements, advowsons," &c. had never been actually sequestered, is evident from an exchange of property mentioned in the text, and effected by the prior, in the year 1353, seven years before this pretended restoration. My reasons for supposing that the monks were burthened with a tax for the support of the war, are, 1°. that we know such an impost to have been subsequently levied upon them (Pat. 3 Ric. 2. p. 3. m. 12): 2°. that, among the causes assigned for their poverty, in 1353, bishop Stratford expressly mentions the oppression of the taxes, from which they were suffering,—"*Onerum importabilium exactionibus et collectis sunt oppressi.*" Rede's MS. f. 222. I ought to add, that, as regards the confiscation of alien property, the priory of Arundel was exempted from the operation of a similar measure under Edward the second: and that, on that occasion, the monks were even permitted to keep possession of certain lands, in Climping and Poling, which they held of the abbess of Almonasches, and which had been included in the order of sequestration. The only condition attached to this indulgence was, that the annual rent of £20., payable to the abbess, should thenceforth be remitted to the exchequer. Fines, 18 Ed. 2. m. 12.

southern district of the country, and, in the course of a few weeks, found its way to the extreme parts of Sussex. As it proceeded, the business and the employments of life every where ceased. Of the victims, whom it seized, many were cut off, in the space of six hours; most, in the course of two or three days: whilst the brute creation, sharing the calamity, or deprived of the protection, of their masters, were scattered abroad, to die by thousands in the fields, and encrease the virulence of the disease, by the putrefaction of their bodies.^a To the survivors the consequences of this mortality were almost as frightful, as the disease itself had been to those, who had fallen under its ravages; and the monks of Arundel, in common with their neighbours, soon discovered, that they had escaped the havoc of the pestilence, only to encounter the more lingering horrors of the famine that succeeded. The devastations of the disease were chiefly visible among the working classes,—the husbandmen, and labourers, whose occupations necessarily exposed them to the influence of the atmosphere: so that, when, at the end of twelve months, the disorder began to subside, the religious found, that their farmers and their servants had been cut off; that their lands had been untilled, or the crops suffered to perish as they stood; and that the impossibility, among the few that survived, of obtaining persons to cultivate the ground, threatened themselves and their establishment with certain and instant dissolution.^b

^a Knyghton, 2598, 2599. "Oves et boves in sulcis deviis et sepibus morte perierunt numero incomputabili." Ibid.

^b "Terræ siquidem prioratûs prædicti, quæ aliquo tempore fertiles fuerunt, et frugiferae, nunc redduntur steriles, et, pro majore

But are re-
lieved by
bishop
Stratford.

It was under these circumstances, with the burthen of a war-tax pressing them, on the one hand, and the horrors of famine menacing them, on the other, that they resolved to appeal to the benevolence of Robert Stratford, bishop of Chichester, and exchange, if possible, some portion of their now unprofitable lands, for property of less fluctuating value. The application was not ineffectual. In return for four hundred acres of wood, and various rents in the parishes of Slinfold, Wisborough, Rudgwick, Kirdford, Horsham, Warnham, and Billinghamurst, the prelate offered to assign to them the perpetual advowson of the church of Rustington:^a he promised to invest them with the appropriation of that, and of the two other churches of Kirdford, and Little Hampton, of which they were already the patrons; encouraged them to apply for the royal license in that behalf, and engaged his best services in furtherance of their suit. On the twenty-fourth of June, 1351, Edward signed a patent, authorizing the exchange, and empowering the monks to receive the appropriation: but some

parte, jacent incultæ Ipsorum et servi et coloni, ex quorum industriâ et laboribus, terrarumque culturâ, dicti prioratûs, pro majore parte, pendebat utilitas, ab hac luce sunt subtracti, sorte divinâ, quæ ingruebat in pestilentia ultimâ mirabili et inauditâ: sicque, propter hominum raritatem, alios habendi vix aliqua eis competit facultas in præsentî." Rede's MS. f. 222. This was the case generally through the country:—"Tantus defectus extitit servorum et famulorum, quod non erat quis qui sciret quid facere deberet. Quam ob causam, multæ segetes perierunt in campis, præ defectu collectoris," &c. Knyghton, 2599.

^a This was a necessary preliminary to the appropriation, which was never granted, except to the *patron*, or possessor of the advowson. Plowden, in Grendon's case, 496—500.

unforeseen difficulties appear to have arisen, and almost two years elapsed before any farther progress was made in the negotiation. At length, a deed, dated February, 1353, and signed by each of the contracting parties, completed the purchase of the advowson. This was followed, in June, by an assignment, from the bishop, of the three churches of Rustington, Kirdford, and Little Hampton, with "all their rents and profits," to the sole use of the priory; and the monks, rescued, at last, from the miseries of impending ruin, hastened to repair the ravages of the past, and anticipate the prosperity of the future.^a

The accession of income, indeed, arising from this appropriation, nearly doubled the former revenues of the convent: an additional grant, about the same period, of the churches of Yapton, Billingham, and Cocking, restored them at once to present affluence, and secured them against the approaches of returning poverty.^b The tax, moreover, for the support of the French wars,

^a Liber Episc. Cicest. B. vol. 18. f. 41, 42. Rede's MS. f. 221—223. By the deed of appropriation, the benefices of Rustington and Kirdford were constituted vicarial, the advowson of the former being reserved to the bishop, that of the latter remaining with the priory. The duties of Little Hampton, of which in reality only one half was appropriated to the convent, were to be performed by a "clericus conductitius," or curate remotive, who, as well as the vicars of Rustington and Kirdford, was to receive his portion out of the appropriation. Rede's MS. *ibid.*

^b The annual value of the lands in Slinfold, Wisborough, &c. which were alienated to the bishop, is computed in pope Nicholas's survey (p. 139,) at £5. 13s. 4d.: that of the appropriation, obtained by the monks, amounted to £43. 6s. 8d. The churches of Yapton, Billingham, and Cocking, were valued together at £26. 13s. 4d. See page 584, note, ante.

was, on the return of peace, in 1360, remitted to them by the king;^a so that, during the ten years which immediately succeeded, they were enabled to enjoy their enlarged means, in the confidence of undisturbed tranquillity. But Edward, though he had resigned the impost, was not backward in availing himself of the first favourable pretext for resuming it. On the renewal of hostilities with France, in 1370, another, and, probably, a heavier, tax, of twenty marks, was levied on the monks: and this sum, amounting to, at least, one fifth of the whole revenues of the convent, continued to be annually enforced, until the priory of Arundel was, at length, merged in the collegiate establishment. Its possessions, at that period, as recorded in the foundation charters of the college, comprised two hundred and eight acres of land, in various parishes; the manor of Yapton; the appropriation of Arundel, Yapton, Rustington, Billingham, Kirdford, Cocking, and half of Little Hampton; a portion of the tythe from certain lands in Preston, Goring, Harting, Bourne, and Stoughton; one toft in Arundel, and the sum of £10. 1s. 0d. in rents, and pensions.^b

^a Rymer, VI. 311. Stow, 265.

^b Pat. 3 Ric. 2. p. 3. m. 12. To these possessions must be added two hundred acres of arable land in Yapton, of which the ninth is valued, in the Nonæ roll, at £2. 10s. 0d. per annum.

The only priors, whose names have survived to us, are,

1°. GRATIAN, the first prior, who was appointed in 1102. Esch. 3 Ric. 2. N°. 160.

2°. NICHOLAS, mentioned in the text (p. 580.) as asserting the immunities of the house against its patron. He lived at the end of the twelfth, or the beginning of the thirteenth, century. Esch. ut sup.

3°. GERVASE, who assigned the manor of Drungewick to the see of

But, whilst the priory was thus struggling with the vicissitudes and persecutions of the times, the domestic establishment within the castle was gradually assuming a degree of consequence, which was destined, at no remote period, to subvert the little colony of alien monks, and place the parochial duties and possessions in other hands. It has already been observed, that the only ecclesiastical foundation, capable of disputing priority with the ancient parochial church, was the chapel of St. Martin in the keep. Its situation and enlargement have been described, in a former part of this work;^a but its date, like that of the church, must remain a matter of conjecture. Nor have we much better means of information as to the value of its original endowment. The slight notice in Domesday, already inserted, is the only intelligence that remains to us on the subject: whilst the inadequacy of the sum of twelve pence, there mentioned, to the support of an incumbent, forbids us to suppose that the whole revenue of the chapel is therein comprised. The duty was performed by one chaplain, who was appointed by the Earl, and whose annual income is stated, in 1272, to have been, at that period, worth four pounds.^b

Chapel of
St. Martin
in the
Keep.

Chichester, (Dugd. Monast. III. 126.). He lived between the years 1253 and 1262.

4°. WILLIAM, mentioned in Rot. Fin. 18 Ed. 2. m. 12, and then alive (1324).

5°. MICHAEL, who signed a lease of land, dated May 9, 1351. It is at Norf. H. Miscellaneous Deeds, Sussex, N°. 107.

6°. JOHN MERCER, the last prior, alive when the priory was dissolved, in 1380. Esch. 3 Ric. 2. N°. 160.

^a See page 49, ante.

^b "Collatio capellæ in castro spectat ad collationem domini, et valet £4. annuatim." Inquis. fact. apud Arundel, in vigil. Trinitatis, A° 56 Hen. 3.

Chapel of
St. George.

The foundation of the chapel of St. George in the south-east side of the Castle seems ultimately to have withdrawn the service from that of St. Martin in the keep. With the date of its establishment we are unacquainted: but the reader has seen, that it was in existence as early as the year 1275;^a and it will not, perhaps, be unsafe to assign its origin at least to the commencement of the thirteenth century. It is not, however, until the middle of the following age, that we meet with it in the important character, which it afterwards assumed. In 1344, Richard Fitz Alan, fifth Earl of Arundel of his family, obtained a bull from Pope Clement the sixth, for the endowment of a perpetual chantry for three priests, in the parochial church of Arundel, then belonging to the priory. But the convenience, which the chapel of St. George offered for such an institution, soon after united itself with other considerations, in inducing him to alter his intention. In the following year, application was again made to Rome; another bull was issued by Clement, authorizing the transfer of the new foundation from the parochial church to the chapel within the Castle; and the other arrangements necessary for carrying the design into immediate execution were forthwith perfected by the Earl.^b The chantry was now settled in full possession, and, during the thirty-five following years, the service,

^a See page 45, ante.

^b Statutes of Arundel college (See Appendix, N^o. VIII.), where these circumstances are recited. I have inferred the actual establishment of this chantry from the fact, that it is spoken of as "*de capellaneis ordinatis*," in the past tense, and not in the future, "*ordinandis*," which is the usual mode of expression, on other occasions, where the foundation has not been completed.

performed by the three chaplains, must have assumed a degree of splendour, to which the private oratory of the Castle had been hitherto unaccustomed. Yet, even this was scarcely commensurate with the religious feelings of the noble founder. When the wealth, which he had amassed in the French wars, enabled him, as the reader has formerly seen, to extend the buildings on the southwest side of the Castle, one of his first objects was to encrease this establishment. To the three, already instituted, he proposed to unite a certain number of additional clergymen; to embody the whole as a college, under the superintendence of a master; and to attach it inseparably to the service of the chapel within the Castle. For this object, as early as 1354, a bull was solicited, and obtained, from the reigning pope, Innocent the sixth, and measures, it was thought, were about to be adopted, for the final settlement of the new college, "to the greater glory of God, and for the health of his own soul, of those of his friends, and of all the faithful departed."^a By what reasons he was induced to defer the completion of his purpose, it is now impossible to ascertain: certain only it is, that a space of no less than twenty years elapsed, before any farther progress was made in the design. At length, however, in 1375, the Earl procured a patent legalizing the foundation, and enabling him to settle on the college an annual rent of one hundred and seven marks, from his manors of Angmering, Wepham, and Warningcamp, payable until such time as himself or his heirs should endow it with lands, or other possessions, producing a revenue of equal amount.^b But he was not allowed to witness the fulfil-

^a Statutes, ut sup.^b Pat. 49 Ed. 3. p. 1. m. 3.

ment of his desires. Before the final arrangements were completed, he was overtaken by his last sickness, and, in the course of a few weeks, expired. By his will, however, dated December the fifth, 1375, he recommended the proposed institution to the piety of his successor; prescribed the number and duties of its members; and bequeathed a sum of one thousand marks, to be expended in the purchase of lands, yielding an annual rent of seventy-one pounds, six shillings and eight pence, for their support.^a By his son, the next Earl, the interests of the intended establishment were eagerly embraced; and a new patent, obtained by him, in the first or second year of king Richard the second, and securing to the future master and chaplains an additional revenue of ninety-five marks, from his manors of Pepperering, Southstoke, Tottington, and Upmarden, gave promise of his alacrity, in executing the religious injunctions of his father, in their behalf.^b

College of
the Holy
Trinity.

But the chapel of St. George was not destined to become the seat of the new college. Whilst that institution, with its chantries and foundations, had thus been advancing in importance, the priory, notwithstand-

^a "I bequeath one thousand marks, to purchase lands of the annual value of one hundred and seven marks, for the maintenance of six priests and three choristers, to celebrate divine service every day, by note, in the chapel of my Castle of Arundel." Testam. Vetust. 94.

^b Pat. 5 Ric. 2. p. 1. m, 3, which recites this circumstance. Dugdale (Monast. III. p. 2. 105.), and Dallaway (R. of Arund. 193, note c, N. Ed.) both entitle this document "a patent for encreasing the endowment of the college of Arundel." This is not correct. It merely enumerates the grants formerly made in favour of a college to be established within the Castle, and authorizes the Earl to transfer them to that, which he had now attached to the church of St. Nicholas.

ing the encrease of its possessions, had been rapidly sinking to decay. The policy of Edward the third, by taxing its revenues for the support of his foreign wars, had not only impoverished its resources, but had taught its inmates to tremble for their personal security. On the first appearance of hostilities, the monks hastened to obtain an asylum in the parent abbey at Seez: the convent was deserted, or left to be tenanted only by the prior: the buildings were neglected; the church was suffered to fall into ruins; the parochial duties were resigned to chance, or to the charity of the neighbouring clergy; and the divine service, almost silent within the sacred precincts, seemed to speak only of the unwonted desolation of the spot.^a These circumstances had already attracted the attention of the Earl of Arundel, with a view to their remedy: another consideration, affecting the stability of the intended college, also pressed itself upon his notice. In a place of military defence, such as the castle of Arundel, situated so near the sea-coast, and exposed, in times of danger, to the assault of every enemy, the security of a religious establishment was, at best, but doubtful. The immunities, which would protect it as a separate foundation, would possess little power to defend it within the walls of a garrison; and the sacredness of its character, which might elsewhere challenge the respect, would, there, only meet the undistinguishing fury, of an assailant. The perpetuity of the college, therefore, seemed to require that it should be placed without the precincts of the castle; whilst its usefulness would be more extensive, and more dis-

^a " Sic prioratus, divino pene cessante servitio in eodem, remanet quasi desolatus." Esch. 3 Ric. 2. N^o. 160.

cernible, if engaged in supplying the destitution of the priory, and the wants of the parochial church. Nor was such a disposition of the endowment altogether foreign to the views of the late Earl. A part of it had originally been destined by him to a similar purpose, though, from motives of convenience, it had been subsequently withdrawn to the domestic chapel of the castle. He, therefore, as the friend of the parochial church, would scarcely object to such an appropriation: while the interests of the college, removed, as it would then be, from the possibility of danger, would be thereby essentially promoted.^a

Earl
Richard
procures a
Patent for
its founda-
tion.

Influenced, therefore, by these considerations, the Earl, at length, resolved to execute the design, which he had formed, of secularizing the priory, and uniting it with his college, in one establishment. His first step was to secure the royal approbation. Having represented to Richard the decay of the priory, on the one hand, and, on the other, the difficulty of securing the stability of the college within the castle, he proceeded to sketch the outlines of his plan. He proposed to dissolve the convent altogether, to annex its revenues to those already destined to the support of the intended college, and to place the master and chaplains of the latter in possession of the parochial church. In return, he offered to erect a suitable building for the new fraternity, on the site of the ancient convent; to add five secular chaplains, in place of the five monks, to the six already named in the will of his late father; to extend this number, by the addition of two others of his own foundation; and to dedicate the whole, with deacons,

^a Introduction to the statutes.

subdeacons, clerks, and other officers, in honour of the Blessed Trinity, of the Blessed Virgin Mary, and of all the saints.^a But a difficulty presented itself at the commencement of the negotiation. In the division of the estates of Hugh de Albini, the last Earl of Arundel of his family, amongst his four sisters, the advowson of the priory of St. Nicholas was said to have been allotted to Roger de Monte Alto, who had married Cecilia, one of the co-heirs. The advowson itself was nothing more, in fact, than a nominal possession:^b it had, moreover, been constantly challenged by the Earls of Arundel, as an appendage of the castle. The claim, however, of Roger de Monte Alto, such as it was, had descended to

^a Introduction to the statutes.

^b It was not the right of presentation to the rectory, for that was held by the prior,—“Prior et conventus Arundell tenent ecclesiam ejusdem villæ in proprios usus” (Esch. 56 Hen. 3.); nor was it the power of choosing, or presenting, the prior, for that was possessed by the abbot and convent of Seez (Esch. 3 Ric. 2. N^o. 160.). Perhaps it was only intended to convey the idea that the priory, or a part of its possessions, was held of Roger de Monte Alto, and subsequently of king Richard, as the supreme lord, or head of the fee. In a license, granted by Edward, prince of Wales, in 1351, for the alienation of the lands and rents in Slinfold, Wisborough, &c., already mentioned, it is expressly said, that they were held *in capite* of him, as the representative—through his grandmother, Isabella, of course,—of Roger de Monte Alto;—“Queux les dits priour et covent *teignent de nous come de fee et Mohaut*” (Lib. Episc. B. vol. 18, fol. 41.): and king Edward himself, in the patent drawn up on the same occasion, having declared that these lands were held of his mother, Isabella, ordains, that, in consideration thereof, the advowson of the church of Rustington, now about to become appropriate, shall be held by the monks of that princess, during her life, and, after her death, of him, and of his heirs for ever. Ibid. f. 41^b.

his heir, Robert Morley. By him it had been alienated to Isabella, wife to Edward the second, and thence had passed, by inheritance, to king Richard, who was now resolved to turn it to advantage. Until it should have been acknowledged and satisfied, he refused to grant a license for the proposed incorporation of the two establishments: and the Earl, therefore, in order to get rid of the difficulty, was compelled, not only to pay a sum of forty pounds, in compensation for the annual fine of twenty marks, to which the priory was subject during the time of war, but also, in return for the advowson which was to be surrendered, to bind himself, in a penalty of one thousand pounds, to assign to the king, or to his heirs, within the space of three years, the perpetual advowson of some other benefice, whose annual value should, at least, amount to twenty pounds.^a Under these conditions, the claim of Richard on the priory was, at length, abandoned, and a patent, dated April the first, 1380, was issued for the erection of the college. It resigned the disputed advowson to the Earl and to his heirs; authorized the dissolution of the convent, and the foundation of a chantry, or college, for a master and twelve chaplains; and granted the possessions of the late priory to the use of the new institution. It provided, however, that the previous assent of the abbot and convent of Seez should be procured to this arrangement; and that, when surrendered, they should retain

^a Before the expiration of the three years, however, a different arrangement was made, and, instead of an advowson, the Earl assigned to Richard the manor of Sevenhampton, in the county of Somerset. MS. Harl. 4840. f. 414.

no farther power, authority, or interest, either in the priory, or its possessions.^a

The concurrence of the abbot was easily obtained, and the Earl hastened to lay the foundations of the new building. The spot selected for this purpose was the site of the priory, on an eminence to the west of the castle, and immediately adjoining the parochial church. Having removed the materials of the old convent, he proceeded to extend the space hitherto enclosed; and the new college, thus enlarged beyond the boundaries of its predecessor, soon began to assume an appearance, corresponding with the magnificence of the endowment. It was a quadrangular structure, surrounding a square yard, or court, partly occupied by cloisters, and partly devoted to other purposes. On the north side, was the collegiate chapel, forming an apparent chancel to the parochial church; on the east, the refectory, and the various offices more immediately pertaining to it: the remaining sides were appropriated to the private accommodation of the members. The master's house was within the court,—an oblong edifice, attached to the south-east angle of the chapel, with which it communicated by a small stone gallery, or balcony, on the first story, and opening, on the north, into the church-yard. The principal entrance to the court was by a gateway, which still remains, at the south-west angle.

Erects the
collegiate
buildings.

Before the end of the year 1381, these buildings were so far advanced, that the new members, who had already been embodied, were enabled to enter on possession. It was not, however, until December, 1387, that the statutes, for the government of the college, were drawn

^a Esch. 3 Ric. 2. N^o. 160. Pat. 3 Ric. 2. p. 3. m. 12.

up: and it is not improbable, therefore, that the edifice, though capable of receiving its inmates, was not, until that period, so entirely completed as to afford leisure for this necessary undertaking.^a

And draws
up the
Statutes.

At length, the task of legislating for the little community was commenced, and the result was a code, distinguished, among such compositions, for its good sense, for the rational simplicity of its injunctions, and for the steadiness of purpose, with which it endeavoured to promote at once the virtues and the comfort of those for whose regulation it was framed. It began with reciting the circumstances, which had led to the foundation of the present establishment. In simple, but affecting, language, the founder referred to the wishes of his departed parent: he spoke of the desolation of the parish church, expressed his solicitude for the support of the divine worship, and, having alluded to his own trembling hopes of immortality, “humbly offered the college to the acceptance of heaven, as a slight memorial of his devotion,” where the prayers of the inmates might con-

^a The earliest of the college accounts, which remains, is the computus of William White, the second master, containing the receipts and disbursements of the establishment, from Michaelmas, 1382, to Michaelmas, 1383. The first item among the former is a sum of £15. 3s. 5 $\frac{3}{4}$ d., described as “*arrears of the preceding year,*” ending Michaelmas, 1382. Hence, it is tolerably certain, that the community must have been in possession, as early as the end of 1381, or the beginning of 1382: that it was fully established in its new dwelling, before the termination of the latter year, is evident from the following, among many other entries in the same computus:—“Item, paid for a covering for the high altar, 4s.: for ten roundettes for the choir, 8d.: for a rope for the well, 6s.: for twelve ells of linen for cloths for the great table, 7s.: for rushes for the hall, 12d.” &c. &c.

ciliate favour for the living, and secure mercy for the deceased, members of his family. The number of persons to be comprised in the fraternity, together with the respective duties of each, was then determined and described. The college was to consist of thirteen chaplains, or secular priests, to which were to be added two deacons, two sub-deacons, two acolytes, and four choristers; all to be admitted under certain restrictions, and all at liberty to quit the community, on giving three months' previous notice of their intention.^a Of the chaplains, one was to preside over the institution, as "perpetual master, or custos, of the college:" another, as "submaster," was to be ready to act in the absence of the principal; and a third, under the title of "precentor," was to attend to the regulation of the choir.^b The master was in the appointment of the patron, to be chosen from two persons, previously elected and presented by the college.^c To him, and to the submaster in his absence, the obedience of the rest was to be solemnly promised upon oath.^d He was to direct both the internal and external economy of the house; to keep an exact account of its possessions, to defend its interests, to enforce the observance of its laws, to cherish the harmony, and promote the comfort, of its members, and to exhibit himself, on all occasions, as a model of recollection, of purity, and of patience, to those who were placed under his authority. To him also was allotted the duty of hearing the confessions of his brethren, at the three stated periods of advent, lent, and whitsuntide: while the obligation of attending to the same observance himself, and of selecting one of the chaplains

^a Cap. 1, 2, 14.^b Cap. 1, 6.^c Cap. 1.^d Cap. 3.

as the depository of his own conscience, was strictly and religiously inculcated.^a Amongst his privileges was that of appointing, at the nomination of the college, to the important office of submaster.^b That functionary was to act, not merely as the assistant, but, when necessary, as the delegate, and representative, of the master himself. On the demise, or retirement of the principal, and until the appointment of a successor, the entire administration and superintendence of the college devolved on him. He was empowered, on such occasions, to correct abuses, to reprove or punish the refractory, and to act, in all circumstances, with the independent authority of master. At other times, his duties were comprised within a narrower sphere. To take charge of the library, to have the custody of the vestments, jewels, and ornaments of the college, to summon the community to prayers, and to provide whatever was necessary for the service of the altar, were the only official employments assigned to him.^c

From the appointment of these superiors, and the description of their separate offices and authority, the founder passed to the great object of the institution, the furtherance of the divine worship, and the means by which it was to be effected. The decay which they had hitherto deplored, in the public service of religion, had originated in the absence of its ministers: the restoration, which was now contemplated, must be produced by a cause of opposite character and tendency. Hence, the constant residence of the chaplains within the precincts of the college, as well as their regular attendance at the different offices of the church, became a matter

^a Cap. 4.^b Cap. 1.^c Cap. 5.

of paramount importance to the real interests of the establishment. To forbid them, unless in case of necessity, and with the permission of the master, to officiate in the neighbouring parishes, would cut off a fertile source of excuse for absenting themselves from the chapel of the community: to require all, without exception, to be present at the collegiate service, would remove every subject of jealousy, and secure a more constant observance of the law. The master, if unavoidably engaged in the business of the house, and the sick who were incapable of attending, could alone be dispensed with: all others absenting themselves, at the specified hours of prayer, would be mulcted, in proportion to the relative importance of the service, at which they had failed to assist.^a To insure regularity also in the discharge of their religious exercises, the order and periods of the different offices were particularly described. "At sunrise," in summer, and "at break of day," in winter, matins were to be commenced: to these, lauds and prime were to succeed; after which, the mass of the day usually began. It was to be sung at the high altar, by one of the chaplains, who was to be relieved, in turn, by others; each to perform the duty for the space of a week, and to be denominated, during that time, the "*hebdomadarius*." After the mass of the day, the recital of the remaining hours was to alternate with the celebration of other masses until noon: and thus, a constant succession of services, during the early part of the day, whilst it was calculated to invite the attention, would scarcely fail to improve the feelings, and "gratify the devotion, of the surrounding

^a Cap. 7.

neighbourhood."^a In the afternoon, vespers and complin would again, of course, summon them to the choir; but their intervals of leisure they were exhorted to employ in the improvement of their minds, in the study of the sacred scriptures, or in such innocent and salutary recreation, as would become the sanctity of the sacerdotal character.^b

To protect that character from reproach, and to form it to those habits of virtue, of kindness, and of brotherly affection, which should be its ornament and its strength, was the next object of the legislator. Let them, he said, live together in common; let them study, on all occasions, to prevent each other in benevolence and honour; let them meet at the same table, rest under the same roof, and be clothed in the same simple, and unadorned manner. If they take their meals, let a lesson from the scriptures, or a homily from the fathers, accompany the corporeal act, and edify their minds, whilst they refresh their bodies: if they walk forth, to seek an innocent recreation, among the beauties, or the miracles, of nature, let a discreet companion be at hand, to participate in the enjoyment, and to shield his brother both from temptation and from censure. On all occasions, let the recollection of their character guide them in their intercourse with the world; and let them not seek, either by the introduction of strangers to the college, or by their own fondness for dissipation, to bring discredit or suspicion on the establishment.^c

The remaining topics were of less general interest. They spoke of the punishments to be inflicted on occasional delinquents, and the expulsion, to which the

^a Cap. 8.

^b Cap. 9.

^c Cap. 9, 10.

obstinate offender should be subjected.^a They prescribed the manner of supplying a vacancy among the chaplains,^b specified the anniversaries to be commemorated, and the particular masses to be said,^c determined the allowance, or stipend, of the several members of the college,^d and regulated, with sufficient exactness, various points of domestic economy.—The statutes, when finished, were submitted to the inspection of the bishop of Chichester (Thomas Rushook); and the copy, which remains, still bears the certificate of his approbation. It is dated December the first, 1387.

Such is a brief outline of the simple, but judicious, code, by which Richard, Earl of Arundel, sought to fix the discipline, and insure the stability, of his new college. Under its influence, the institution continued to flourish, during more than a century and a half; performing the duties attached to the parochial church, and offering an edifying example of regularity and virtue to the adjoining neighbourhood. Among the records of the episcopal visitations, we meet with no instance of remissness in the discharge of their sacred functions, no complaint of licentious demeanour, or suspected morals. Once only do we find a case of imputed negligence, and that, not in the duties of the parish, but in the office of the choir, and whilst the college was actually deficient in no less than four members, to complete its usual number.^e On other occasions,—and they are not more than three—the charges advanced against individuals amount to little else than violations of internal discipline: but the fact of their being stated as accusations, joined

Character
of the esta-
blishment.

^a Cap. 13. ^b Cap. 2. ^c Cap. 8. ^d Cap. 10.

^e Regist. Episc. A. fol. 101.

to the encouragement invariably offered by the visitors to mutual crimination, is sufficient to prove that more serious offences, had they existed, could not possibly have escaped exposure.^a

^a The first of these charges is in the episcopal Register E. fol. 82. The complaint is simply against the irregularity of the master's accounts and the neglect of the buildings. "*Sigillum commune non observatur sub duabus cesuris (seris) : Collegium ære oneratur alieno, ad summam xl. lib. : Domus et ædificia male reparantur : Magister non computat singulis annis : Jocalia ecclesiæ et collegii indies minuuntur, alienantur, et disperguntur, ideo quod non fit de eis inventarium in scriptis.*" The second occasion of complaint was at the visitation, in July, 1524. During the absence of Edward Higgon, the master, William Pynor, the submaster, had died, and Cotes, the precentor, having obtained possession of the keys of the treasury, had availed himself of the opportunity, to advance a portion of its contents, in payment of the stipends of his brethren, "*nullam auctoritatem ad sic faciendum habens.*" The act was in contravention of the statutes, and the offender, on the representation of the master, was reprimanded (Regist. Episc. A. fol. 94.). The last instance occurs three years later. Crockwell, the submaster, having complained to the visitor of the negligence of certain parties in the choir, to which I have alluded in the text, and mentioned some other circumstances, not connected with the members of the college, but requiring immediate attention, the other individuals present were questioned, in succession ; when it appeared, that the only accusations they could prefer were, that two clerks, named Hawkins and Higgon, were in the habit of holding conversations in the choir ; and that the former of these, who seems to have possessed a sufficiently impetuous temperament, had, on one occasion, committed an act of gross violence against the steward :— "*Dominus Joannes Clark, interrogatus, dicit, omnia bene, exceptis quod Joannes Hawkins et Humfredus Higgon communiter fabulantur in choro, tempore divinorum. Ulterius dicit, quod dictus Joannes Hawkins malitiose extraxit gladium, ad percutiendum seneschallum, infra precinctum collegii*" (Regist. Episc. A. fol. 101.). I may here observe, that the words "*exceptis reparationibus,*" which occur in Mr. Dallaway's copy of this passage, are not to be found in the original.

Of the nature and extent of the original endowment the reader will already, perhaps, have formed a tolerably accurate idea.^a The revenues of the dissolved priory had been encreased by the bequest of the late, and by the subsequent donation of the present, Earl; and from these united sources the college, after deducting all charges on the property, at once derived an income of not less than £200. per annum. This sum, equivalent in reality to more than ten times the same amount at the present day, was, at first of course, sufficiently ample

Its posses-
sions.

^a In his will, dated in 1392, after reciting the nature and objects of the institution, which, he says, he has partially endowed, the Earl adds,—“ And for such part of the said endowment, as the master and chaplains shall not have obtained in full possession, at the time of my decease, I will that they and their successors continue to receive the annual rent, secured to them on my manors of Angmering, Wepham, Warningcamp, Southstoke, Tottington, Upmarden, and Pepperering; and that, in discharge of all arrears of the same, my heirs and executors give and appropriate to them for ever such lands and churches as will fairly liquidate all demands. Moreover, considering that my late honoured father bequeathed to me, by will, certain vessels, jewels, and books, of which the greater part was to remain for ever attached to his intended chantry, in the chapel within the Castle, and that the said chantry is now, for reasons already recited, transferred to the parochial church, I desire that, for their better preservation, and for the greater merit of my father, these vessels, jewels, and books, with other ornaments for the chapel, which I have already given to the college, be and remain appurtenant thereto for ever, in the same manner as the other things which I have devised to the same purpose, and which I hereby order to be delivered to the community immediately after my death. I further desire, in particular, that the college be also put in possession of the other cloths and vestments for the chapel, and of the white silk vestments, both large and small, embroidered with M's, and given to me by my mother of Norfolk.” Royal and Noble Wills, 123—126.

for all the purposes of the foundation : but, as the value of money diminished, its adequacy became gradually more doubtful, while the unwillingness of the community to encrease the burthens of their tenants contributed, at length, to cripple their resources, and involve them in considerable difficulties. Nor were these the only causes, by which the value of their possessions was impaired. From failures of various descriptions, the whole amount of their income, in the year 1476, was only £167. 1s. 1*d.*: in 1492, it had reached £186. :^a but, though, four years later, Thomas, Earl of Arundel, in order to extricate them from their embarrassments, conferred on them certain appropriations, to the extent of sixty pounds per annum,^b yet, such was their inability to meet any extraordinary expense, that, when, in 1512, Henry the eighth had obtained a grant from the convocation, of four tenths, payable from all benefices within the province of Canterbury, for the support of the “ holy league,” and the maintenance of the war with France, they were compelled to represent their poverty to government, and petition to be relieved from the operation of the impost. On enquiry, their statement proved correct. The college was included among those establishments, whose revenues, “ either from fire, inundations, or other casualties, had been rendered inadequate to provide even for their ordinary charges ;” and a special license, issued in their favour, exempted the community from the payment of any portion of the tax.^c

^a Account rolls, for the years ending, Michaelmas, 1477, and 1493 (17 Ed. 4. and 9 Hen. 7.), at Norf. H.

^b Pat. 12 Hen. 7. p. 1. m. 1.

^c Regist. Episc. C. 141, 144^b, 145^b.

At the period of the suppression, the whole endowment, including the additional grant of Earl Thomas, was valued only at £168. 0s. 7 $\frac{3}{4}$ d., clear of reprisals.^a

From this account of its revenues, on the one hand, and of the exemplary conduct of its inmates, on the other, it is evident that the college could have offered to Henry the eighth no very plausible pretext for its

And dis-
solution.

^a Liber Regis. In the account-roll of the college, for the year 1459, the following entry occurs. “Et in communibus Willelmi Coventry, *quinti choristæ ibidem, ultimæ foundationis:*” but of this “last foundation,” its date, its nature, or its author, I have discovered no other trace. Among the items in the same roll, we find these:—“Et in rewardo facto Dom. W. Wynting, *pro evangeliis legendis per annum, xiiis. ivd.* Et in rewardo facto Joanni Woolball, *pro bonâ diligentia sua habitâ circa missas et antiphonas in capellâ B. Mariæ Virginis, pro hac vice tantum, vis. viiid.* ;” and the following extraordinary charge for the church of Rustington,—“In unâ lagenâ vini rubri, emptâ pro parochianis ad festum Paschæ ibidem hoc anno communicandis, xd.” A similar item appears in two other rolls (anno incerto temp. Hen. 6. and A^o. 9 Hen. 7.); and, probably, relates to a practice, which, I believe, still exists, in some foreign churches, of administering to the communicants a small quantity of unconsecrated wine, by way of ablution, after the receiving of the sacrament. That this custom prevailed among the catholics in England, even so late as the middle of the last century, is certain. Not to mention earlier instances, of which I have seen several, I will barely refer to the catholic “Manual of prayers,” printed in London, in the year 1754, wherein the following, amongst other instructions for “the serving at mass,” occurs:—“If there be communicants, provide a towel, and say the Confiteor. *After they have received, give them wine*” (p. 196.). The same is found in the edition of 1706, p. 380.

In the last year of Henry V. (1422), the expenses of the master, travelling with four horses to London, remaining there seven days, and returning to Arundel, amounted, as we learn from the roll of that year, to the sum of £1. 3s. 4d.

dissolution. If the strictness of its discipline, and the regularity of its members in the discharge of their parochial duties were able to silence the accusations of the commissioners, the limited nature of their income bade equal defiance to any suspicion of ease, or luxurious indulgence; and to suppress a body, not only blameless in itself, but literally without imputation, was in direct opposition to the principle, on which the king had invariably pretended to act. Nor was this reasoning applicable solely to the establishment before us. The great body of chapels, chantries, and colleges, throughout the country, seems to have opposed the same obstacle to the rapacity of the tyrant; and thus, more than eight years of ecclesiastical spoliation had elapsed, before he ventured to acknowledge his designs upon their possessions. Yet, in his conduct towards the college of Arundel, there is something peculiarly striking. So late as the year 1541, we find him actually engaged in bargaining with the community for one of their manors, and granting them a portion of the monastic lands, which he had already seized. The official deed, reciting this transaction, still remains: and, from that, we learn, that in return for the manor and lordship of Bury, which he obtained from the college, he conferred on it the lands, manor, and other appurtenances of Hayling Island, formerly belonging to the dissolved monastery of Sheen; those of Shipley in Sussex, parcel of the possessions attached to the late hospital of St. John of Jerusalem, at Clerkenwell; and the site, lands, and tenements of the preceptory of St. John, at Poling, the chapel of the same, and the liberties, woods, and other appurtenances, thereunto belonging. This property was granted, in

the usual form, "to the master and chaplains of the college of the Holy Trinity, at Arundel, and to their successors for ever," to be held of the king, and his heirs, by the service of half a knight's fee, on the payment of an annual rent of £6. 14s. 10½*d.* to the crown.^a

It is difficult to imagine by what motives Henry could have been actuated in this proceeding. It would almost appear that the college had found a favour in his sight, from which every similar establishment was excluded; and that, up to this period, at least, he had determined to exempt it from that destruction to which the rest were to be unsparingly consigned. But if such were ever his intention, his resolution was too weak to withstand the cravings of his rapacity. Before the end of the year 1544, measures had been taken to secure the resignation of the property into the hands of the king: and on the twelfth of December, eleven months before the passing of the act of parliament, legalizing the suppression of chantries and colleges, a deed of surrender was drawn up, and signed by Alan Percy, the master, in which it was declared, that he, "the said master, with the chaplains, or fellows, of the college of the Holy Trinity, at Arundel, after serious deliberation, did, unanimously, and of their own accord, in consideration of the many weighty and conscientious reasons specially moving them thereto, willingly, freely, and without reserve, for themselves and their successors, assign the said college, with the whole property and possessions of the same, and all right, title, and inheritance thereto, to the king and to his heirs for ever."^b The college

^a Pat. 33 Hen. 8. m. 3. It is dated, July 18.

^b Claus. 36 Hen. 8. m. 33.

was then formally surrendered to Dr. Richard Rede, the royal commissioner; and on the twenty-sixth of the same month, a patent, issued from the king's court at Westminster, conveyed it, with all its estates, to Henry Fitz Alan, Earl of Arundel. For the favour of this conveyance, however, a proportionate sum was required from the grantee. The immediate payment of one thousand marks was demanded and obtained: an annual rent of £16. 16s. 0 $\frac{3}{4}$ d. was fixed on the property; and, on these conditions, the Earl was allowed, for himself and his heirs, to take possession of "all and singular the site, lordships, manors, lands, tenements, and other hereditaments of the said college and chantry of the Holy Trinity, at Arundel," to be held of the king, by the military service of the tenth part of a knight's fee, for ever.^a The work of demolition now commenced. The buildings, with the exception of the chapel and the master's lodgings, were immediately dismantled and unroofed: the more valuable portion of the materials

^a Pat. 36 Hen. 8. p. 21. m. 49. In addition to the property specified in the "Liber Regis," already referred to, the present grant recites the following articles, which, as well as the estates, were assigned to the Earl of Arundel. "The whole site, circuit, and precinct of the late collegiate church, or college, of the Holy Trinity; the belfry and cemetery of the same, together with the lead, bells, and all other the goods and chattels pertaining thereto: all and singular the messuages, houses, buildings, barns, granges, gardens, and fish ponds, belonging to it; and all writings, charters, evidences, and muniments, connected with, or relating to, its possessions, or its inmates." It speaks also of estates in Shipley, Poling, Lyminster, and Hayling Island; and mentions a "meadow near the bridge at Arundel, lately recovered from the water or current of the sea." The last was, probably, the field behind the "Maison Dieu," now commonly known as "the Duke's field."

was removed: the rest was suffered to fall in ruins, or minister, as occasion required, to the wants of other edifices.

Of the original fabric, however, considerable remains are still existing. On the external side, the quadrangle is entire: the east and west walls, though dilapidated above, have not lost much of their original height: and many, if not most, of the windows, with their mullions and trefoil heads, continue to mark the situation of the ancient apartments. The south side is even more perfect than the others. Here, not only the external front, as on the east, and west, but also the inner wall, facing the cloisters, has escaped destruction; and several of the low arched door ways, by which the chambers communicated with the court below, are yet visible in the masonry. It was, probably, the state of preservation, in which the late Duke of Norfolk found this portion of the building, that suggested to him the idea of converting it to its present purpose. When he had determined to remove the domestic chapel from the precincts of the castle, it became necessary to select some other place for the celebration of divine worship: and, as the walls, in this part of the college, afforded a convenience not easily obtainable elsewhere, orders were given, to repair the ruinous parts, and fit up the interior as a chapel, for the joint use of his own family and the public. The space, allotted for this purpose, was at the western extremity of the south side of the quadrangle; and comprised about one-third of the whole length of the original building. The remainder, to the east, was converted into residences, of which that immediately adjoin-

Remains of
the build-
ings.

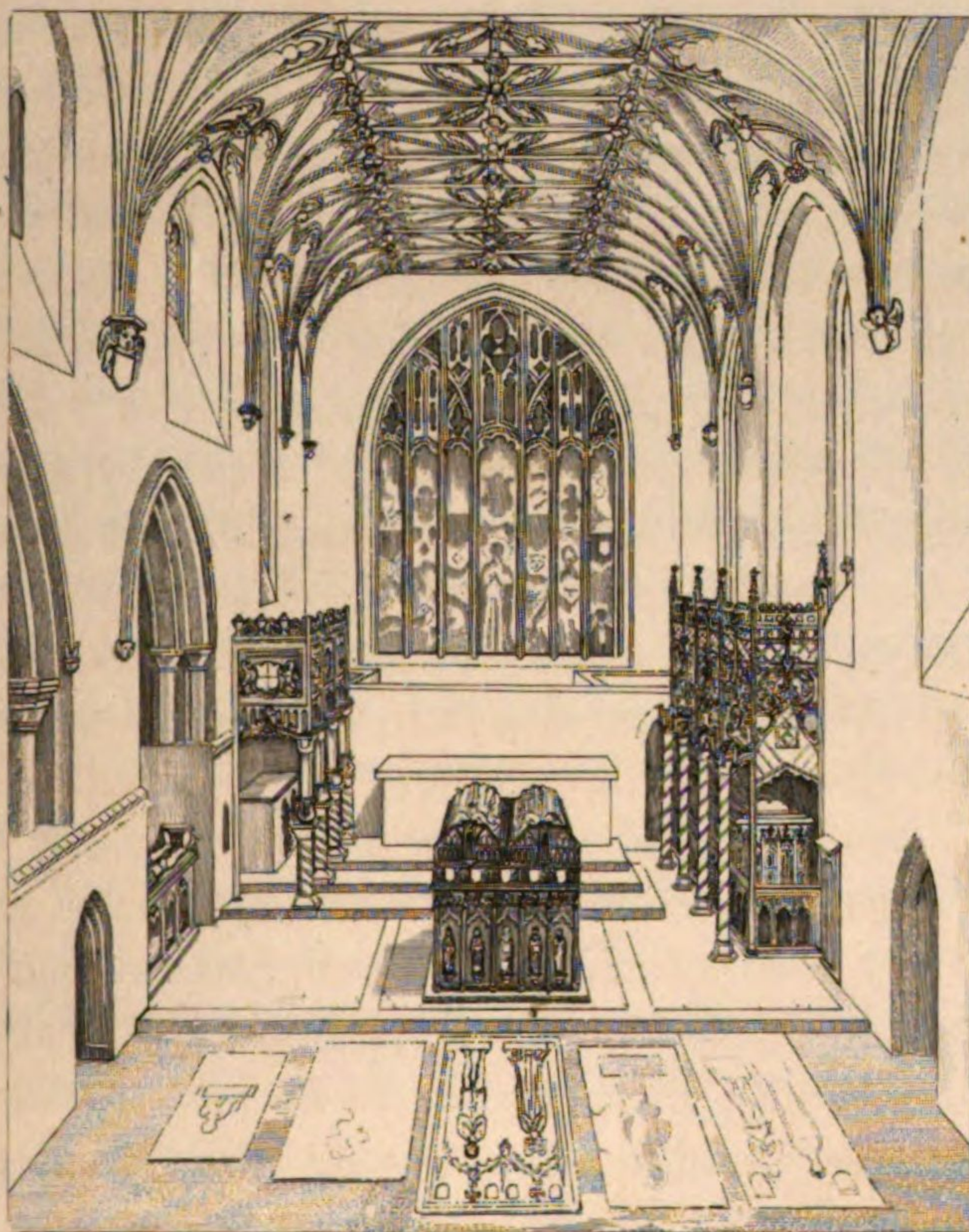
Modern
catholic
chapel.

ing the chapel has since continued to be occupied by the duke's chaplain. The chapel itself is a plain room, without architectural ornament of any description, and measures forty-two feet six inches, by twenty feet, within the walls. It has a gallery, at the west end, which, with the greater number of the seats below, is appropriated to the gratuitous accommodation of the neighbouring catholics.

The
master's
house.

But the master's house, and the contiguous chapel of the college are the principal remains. The former, indeed, which, for many years, was the residence of the duke's steward, has been so altered and enlarged, that much of the interest, otherwise belonging to it, is lost: yet, the communication with the chapel, by means of the small balcony already mentioned, the old door way opening from the cloisters into the church-yard, and the style of building adopted in the modern work, all serve to identify it with the spot, and to convey a sufficiently correct idea of its original state. The chapel has scarcely been more fortunate in escaping the effects of recent alteration than the master's dwelling: it has been more unlucky in its encounters with former violence, and with the wantonness of modern dilapidation. It consists of a single pace, or nave, attached to the eastern extremity of the church, and communicating with it through an elegant pointed arch, which opens under the bell-tower. In length, it measures eighty-two feet, six inches: in width, twenty-eight feet: its height, to the summit of the walls, is thirty-five feet, six inches. A beautiful window of seven lights, with plain mullions, and a profusion of rich tracery above, adorns the east end: four

The col-
legiate
chapel.



Collegiate Chapel in Arundel Church
 founded by
 RICHARD EARL OF ARUNDEL A° 1380

From a Drawing by GRIMM in the Burrell MSS
 Engraved by T. KING of Chichester

others, of similar workmanship, but smaller dimensions, occupy the south side;^a and a corresponding one, on the north, over the altar, with three others, still smaller, and of a different form, ranged along the north side, immediately beneath the roof, gives additional light to the edifice. The high altar, with its immense altar-stone of Petworth marble, is still entire. It is placed against a low screen of plaistered masonry, that, dividing the chapel itself from a narrow space at the east end, forms, behind it, an apartment, which, from its situation, added to the remains of an altar and piscina still existing, would appear to have served in the double capacity of a vestry, and an oratory for the sick. At the south end of this apartment, a flight of steep steps leads, through an arched door-way, to the balcony already mentioned as communicating with the master's lodgings.

On the north side of the choir, a low wall, surmounted by three pointed arches, which spring from clusters of short disproportioned columns, divides the collegiate chapel from the chapel of our Lady. This building, though not completed as early as the former, was, nevertheless, a part of the original foundation: and the style of its interior, no less than the structure of the choir itself, bears ample testimony to the fact of its

Chapel of
our Lady.

^a It should be remarked, in justice to Mr. Dallaway, that his recent editor, who has evidently never seen the church, having omitted a sentence referring to the chapel of our Lady, makes him, contrary to the fact, describe *these* windows as adorned with "crockets and battlements, in a beautiful style of florid gothic, first introduced in the reign of Henry VI." (R. of Arund. 196, New Ed.). Mr. Dallaway knew that these windows were of the age of Richard II.; and his words, though not, perhaps, quite correct, relate to the windows in the chapel of our Lady. See the two following notes.

having been at least commenced at the same period as the rest of the edifice.^a It is shorter, of course, than the collegiate chapel, opening, through a pointed arch, at the west end, into the north transept of the church, and terminating, at the other, where the sanctuary of the larger chapel appears to have commenced. Its length is fifty-four feet, six inches: its width twenty feet. Its altar and altar-stone, with the niche above, for the reception of our Lady's image, are still perfect; and the stalls for the priests, though injured much by time and accident, are, nevertheless, sufficiently entire, to indicate their original character. The three windows, by which it is lighted on the north side, as well as the whole of its external decorations, mark the introduction of that florid style of architecture, which became prevalent during the latter half of the fifteenth century. The windows are of the obtusely pointed form, divided by simple mullions into four principal lights, and having the upper part filled with small pointed arches and other

^a Mr. Dallaway says that Eleanor, Countess of Arundel, whom he calls "Lady Maltravers," and who died, in 1455, "built this chapel" (R. of Arund. 199, N. Ed.): but the fact of her having established a chantry within it, added to the somewhat florid style of its external architecture, which he erroneously supposes to have been "first introduced in the reign of Henry VI.," has evidently misled him. To say nothing of other evidence, the passage in her will, ordering a sum of money to be expended in prayers for her soul "in the same chapel," is sufficient to prove that she was not the foundress. It may be added, that the provision in the statutes, that a daily mass of the B. Virgin shall continue to be sung at the high altar, "until a separate altar shall be specially provided" for that service, shews that, although not then completed, this chapel formed part of the original design. Stat. cap. 8.

ornamental devices. The canopies above, embellished with mouldings and crockets, rest on corbel heads of Angels holding escutcheons, and form themselves into pediments, each terminating at the top in a pinnacle. The mouldings, however, which are perpendicular, with cinq-foil heads, want depth, and the whole composition, which is, perhaps, one of the earliest specimens of its peculiar style, evidently betrays the unfinished taste of a novel invention.^a

By the statutes of the founder this chapel was ap-

^a It has been supposed that the style exhibited in these windows was not introduced until near the middle of the fifteenth century: but there are evidences to prove that, though not generally adopted, it was certainly known at a much earlier period. The tabernacle containing the statue of William of Wykeham, in St. Mary's College, Winchester, and constructed by Wykeham himself, at the latter end of the fourteenth century, corresponds exactly with the canopies of these windows; and the architectural embellishments represented on a seal of Edward the third, which has been engraved by Speed (Hist. 680.), shew that, even in the reign of that monarch, the same ornamental manner was already commencing. To this I may add the testimony of Chaucer, which has, I think, been cited by Warton, from the description of the *House of Fame*:

“ And eke the hall, and everie boure,
Without peeces or joynings,
But many subtell compassings,
As *habenries and pinnacles*,
Imageries and tabernacles,
I saw, and full eke of windowes :”—Book 3.

as also the declaration of the author of “Pierce Ploughman's Creed,” who probably wrote before Chaucer, that the “Minster” which he describes was

“ *ycorven*
With crochetes on corneres, with knottes of gold.”

pointed to be used every morning. At its altar, a solemn mass of the B. Virgin was to be sung; and one of the members of the college was to be selected by the sub-master for this particular duty. An additional service was subsequently introduced. By her will, dated July 20, 1455, Eleanor, Countess of Arundel, ordered her executors to expend the sum of two hundred marks, in establishing a chantry in this chapel. It was to exist for the term of twenty years, from the period of her decease: and the priest, appointed to it, was to receive ten marks per annum as his stipend, and to celebrate a daily mass, "at the altar of our Lady," for the repose of the soul of the countess, and of that of her deceased husband.^a This, of course, expired before the suppression of the college.

Injuries
sustained
by the
chapels.

The magnificence of these chapels in their perfect state must have been of no ordinary description. The windows, filled with stained glass, and shedding their rich and varied light on walls superbly decorated with fresco representations of arms and cognizances; the carved roof of timber, splendidly painted and gilt; the tombs, "of marble and of gold," reposing, as it were, like their inhabitants, in the sacred stillness of the place; the sculptured brass that adorned the floor, and the carved oak stalls of the priests,—all united to swell the grandeur of the edifice, and to impart solemnity even to the solemn rites of the religion, to which it was dedicated. But the reformation, by prohibiting the exercise of that religion, commenced the work of destruction. Service ceased to be performed in the chapel: the temple, no longer used, became the object of neglect:

^a Statutes, cap. 8. Testam. Vetust. 277.

and time and decay had been quietly permitted to extend their silent ravages through a century, when the violence of the civil wars came to chide the tardiness of its predecessors, and accelerate the ruin, which they had begun. On the arrival of Waller's army at Arundel, in December, 1643, the men were quartered in this chapel, and the same wantonness, which marked their destructive progress in other places, soon became visible here. The walls were injured and defaced; the figures on the tombs were mutilated; the altar-stones were partially subjected to the operation of their fanatical zeal; and the stained glass of the windows, with all its portraits and escutcheons, was entirely demolished.^a

^a The MS. N^o. 1076, in the Harleian collection, is a visitation of Sussex, of which there is a duplicate in the Herald's college, and was drawn up in 1634, not, as Mr. Dallaway asserts, by Glover, who had been dead more than fifty years, but by John Withie, whose name is inscribed by himself at the head of the account of Arundel church. From that document we learn that, of the seven lights into which the east window is divided, six were then nearly perfect; and that the three outer ones, on each side, contained, those on the north, the figures of seven earls, those on the south, the corresponding representations of six countesses, all of whom, as Withie informs us, "the religious in the adjoining [college] did remember in their dayly devotions, as their founders." The figures, which, in the MS., are roughly sketched with a pen, are kneeling: each earl bears his own arms emblazoned on his surcoat; and each countess, except the last, in addition to the arms of her husband, which appear on her mantle, carries her own quarterings on the lower part of her dress, in front. The parties are, 1^o. Richard, Earl of Arundel, the father of the immediate founder, who died in 1376, and Eleanor Plantagenet, his second wife: Arms, Fitzalan and Warren, quarterly, for the earl; England, with a label of three points, each charged with three torteaux, for the countess. 2^o. Richard, Earl of Arundel, the founder, and

In this state the chapel was left, for almost a century and a half, to moulder, of course, gradually away, and to call forth the regrets and the remonstrances of all who

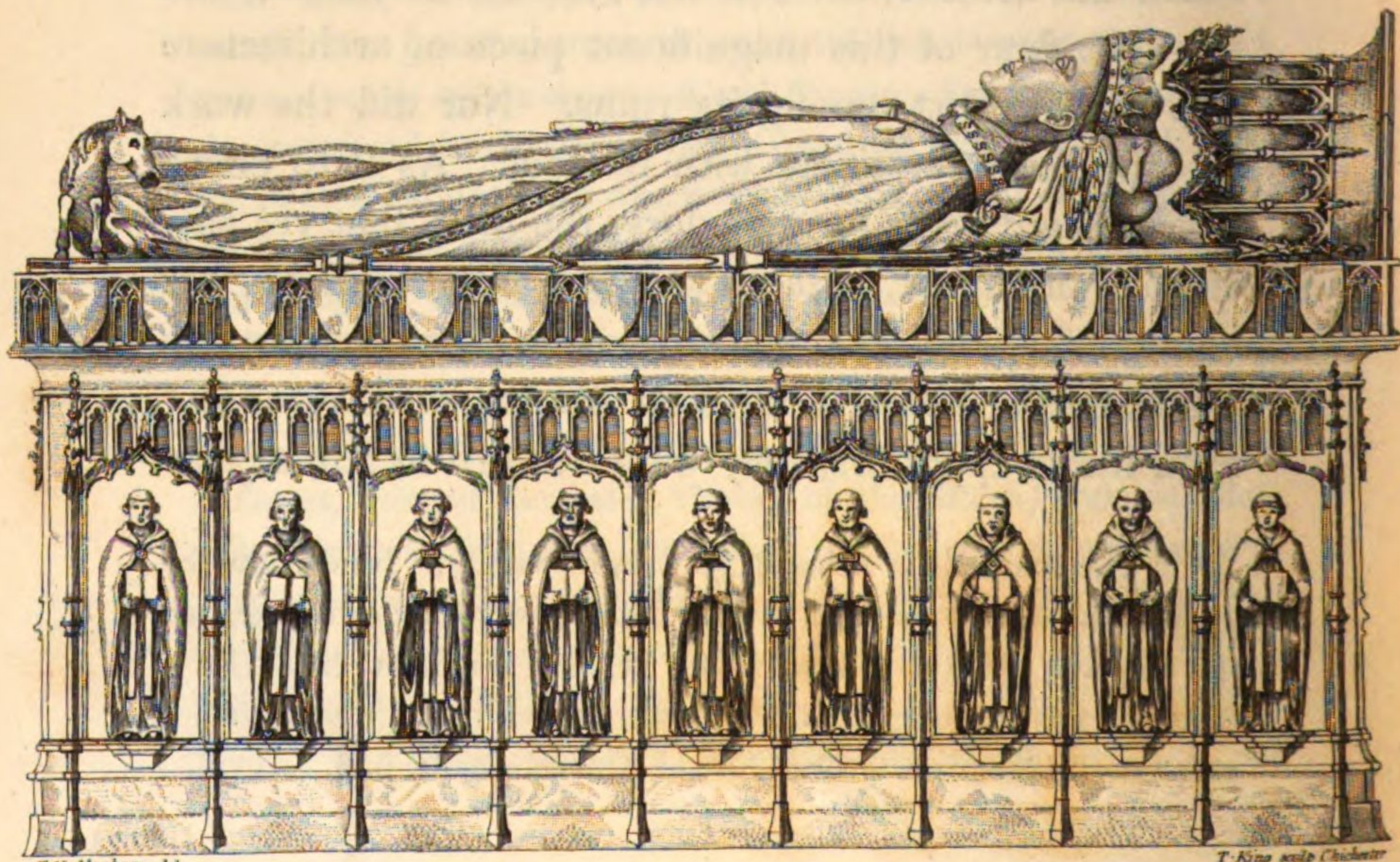
Elizabeth de Bohun, his first wife : Arms, for the earl, as before ; for the countess, azure, on a bend cottised argent, between six lioncels rampant or, three mullets gules. 3°. Thomas, Earl of Arundel, and Beatrix of Portugal, his wife : Arms, for the earl, as before ; for the countess, in the Harleian copy, *blank* ; but, in that at the Herald's college, the coat of Portugal has been inserted by a modern hand, in pencil. That the figure, however, was intended for that of Beatrix is evident from the place which it occupied in the series. 4°. John, Earl of Arundel, and Eleanor Berkeley, his wife : Arms, Fitzalan and Maltravers, quarterly, for the earl ; gules, a chevron between ten cross crosslets, for the countess. 5°. John, Earl of Arundel, and Maud Lovell, grand-daughter of Sir Guy Bryan, his wife : Arms, for the earl, as the last ; for the countess, Bryan and de Bures, quarterly. 6°. Either Humphrey, Earl of Arundel, who died an infant, or, more probably, his uncle and successor, William : Arms, Fitzalan and Maltravers, quarterly, as before. There is no countess to correspond with this. 7°. Thomas, Earl of Arundel, and Margaret Wydvile, his wife : Arms, on the earl's surcoat, as the last ; on the countess's mantle, four grand quarters, of which the first is quarterly, 1 and 4 gules, a sun or estoile argent ; 2 and 3 azure, five fleurs de lis or ; the second and fourth are not visible ; and the third is St. Paul. On the front of her dress, the coat is bendy of six, argent and gules, on a chief or, another argent, charged with a rose gules. All these are the quarterings of Wydvile (Willement, p. 48.).

Besides these portraits, the window in question appears to have been filled with numerous escutcheons of arms, of which those of England, Richard, Earl of Cambridge, Henry, Earl of Lancaster, John of Gaunt, Duke of Lancaster, Thomas of Woodstock, Duke of Gloucester, Cardinal Bouchier, Archbishop of Canterbury, and fourteen other coats belonging to the family of the Earls of Arundel, are recorded by Withie to have been then in existence (MS. Harl. 1076. f. 224^b—225^b). There was also a fine head of Cardinal Bouchier, which is now in the possession of the Duke of Norfolk.

beheld it.^a At length, in the year 1782, the partial decay of the roof seemed to promise an advantageous object of speculation to the cupidity of certain parties, employed by Charles, then Duke of Norfolk: and the representations, which they made, as to the dangerous state of the timber, at length induced him to order its removal. The first step was, to strip the building of its lead, and demolish the ancient parapet. When the workmen came to the carved timber frame, immediately beneath the roof, they discovered that, with the exception of the parts which had already given way, the whole was generally sound; that to take it down would actually require violence; and that to repair it would be infinitely more advisable than to attempt to replace it with another. But the spirit of destruction was awakened; and there were other interests to be consulted, besides those of either the chapel or its proprietor. Force was ordered to be applied. What the mallet, or the crow could not achieve, the saw was called in to effect; and the splendour of this magnificent piece of architecture was speedily lost among its ruins. Nor did the work of demolition terminate with its roof. As if to efface every record of its former glory, the little that yet survived of ornament, in the lower part of the building, was consigned to the same general wreck. As the immense timbers from above were torn from the walls, or cut from their supporters, they were suffered to fall, at ran-

^a "The chancells at Arondell lye very indecently. It rains into the great chancell, and the roof thereof is, some of it, fallen downe, and the rest will quickly follow, if not repair'd and kept dry. 'Tis a thousand pities, being the finest thing, one of them, in that kind, I ever saw." MS. Survey A°. 1702, at Arundel Castle, p. 5.

dom, on whatever might chance to lie beneath. Beam after beam was thus plunged from the extreme height of the chapel: the stalls were crushed: the tombs were shattered; and the floor itself, which is laid over the vaults, was, in many instances, broken and forced in. A modern slated covering, without parapets, was now substituted for the ancient roof: and the conversion of the chapel into a temporary workshop, a few years later, by enabling the workmen to purloin the brass ornaments that still remained, completed the desolation of the edifice. The following monuments and inscriptions are still, or were lately, existing; of which it will be seen, that those, belonging to the Earls of Arundel, form a tolerably perfect series, beginning with the son of the founder, and terminating with Henry, the last Earl of the Fitzalan family.



F. H. Abraham del.

T. King sculp. Chichester

1°. In the middle of the choir stands the monument of Thomas, Earl of Arundel, son of the founder, and of his countess, Beatrix, daughter of John the first, king of Portugal. In form, it is what is usually denominated an altar tomb, and, with the exception of the plinth, which is of blue marble, is composed entirely of alabaster. On the top, are extended the effigies of the Earl and Countess, in their robes of state; their heads resting on a double cushion, supported by angels, and their hands joined in the attitude of prayer.^a Behind the head, rises a canopy of exquisite workmanship; while, at the feet of the Earl, is a horse, the cognizance of his family; at those of the Countess, two lap-dogs holding in their mouths the extremity of her mantle. Nine figures of ecclesiastics, with open books in their hands, are ranged, in niches, along each side of the tomb: and five others, in the same attitude, and in corresponding niches, are seen at each end. Along the rim is a line of shields, amounting in all to forty, and exhibiting, in the intervals between them, some beautiful specimens of sculptured tracery. These were originally emblazoned; but three only of the number have retained the whole of their devices: 1°. Fitzalan and Warren quarterly; 2°. the same impaling Bohun, the mother of the Earl; 3°. the same again impaling Beauchamp, his sister. There is also another, on which the border of castles, belonging to the true coat of Portugal, is still visible.

Monumen-
tal Re-
mains.

^a The Earl is represented in a collar of SS; an instance of that ornament, earlier, by several years, than that which occurs in the effigy of Henry the fourth's queen, at Canterbury, and which Stothard has pronounced to be "the earliest" on record (p. 82.). Thomas, Earl of Arundel, died in 1415; Joan, widow of Henry IV., survived till 1437.

This tomb has sustained considerable injury. The hands of the principal figures have been destroyed: the smaller ones are without heads; and some have entirely disappeared. It is without inscription, and was erected in pursuance of the Earl's own injunctions, who, by his will, ordered his body to be buried in the choir of the collegiate church, at Arundel, "under a certain tomb there to be made new for him;" and bequeathed the sum of £130. 6s. 8d., to be expended, at his funeral, in celebrating masses for his soul.^a

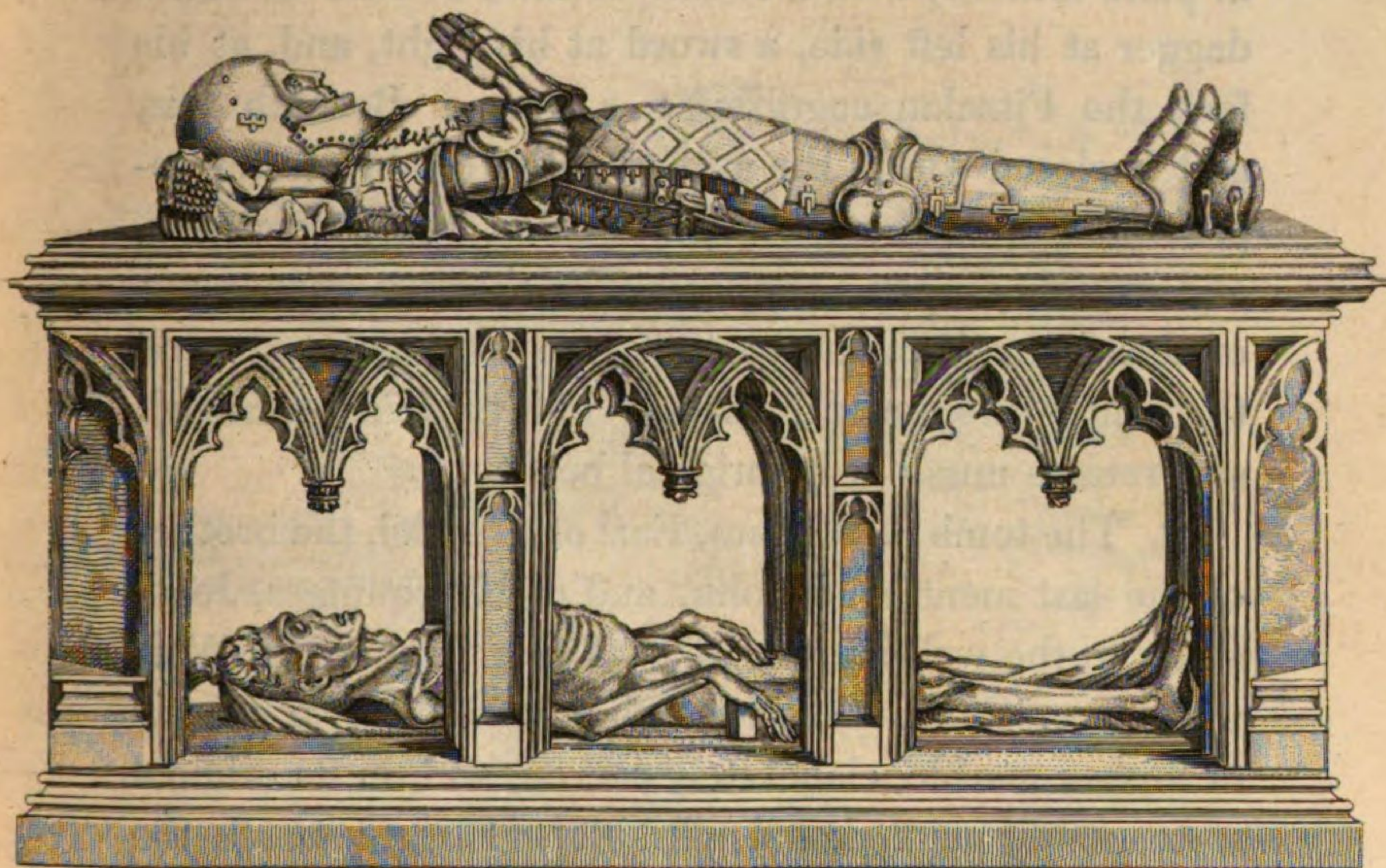
2°. The monument of John Fitzalan, Earl of Arundel, second cousin and successor to the preceding Thomas, and of Eleanor his wife, is in the middle of the chapel of our Lady. It is a plain altar tomb, of Sussex marble, the table of which was originally inlaid with brass devices, that have now, with the single exception of the Fitzalan horse, entirely disappeared. Around the rim, was an inscription, engraved, in gothic characters, on brass, of which the subjoined fragment has been preserved by Gough.^b

"..... Gallia Normannique guerris insignissime floruit. Obiit autem anno Dñi milleno CCCXXI. et mens' Aprilis die XXI°. Hec Alienora thubro Comitissam: que Alienora Obiit, A. D."

^a Dugd. Bar. I. 320. The detailed description of this tomb, given in Blore's monumental remains, has been copied, without acknowledgment, into the new edition of Mr. Dallaway's Rape of Arundel, p. 198.

^b Vol. 2. Part 2. pag. 58. The following note occurs in the Burrell collection, N°. 5699. "The brass round the rim of this tomb was stolen and offered for sale to a brazier in Arundel, from whom Mr. Carleton recovered a small part. There were five brasses on the tomb, of which there now remains only the Arundel lion rampant in the centre, and the horse courant at the north east corner."

This tomb was probably erected by the succeeding Earl to the memory of his parents.



JOHN FITZ-ALAN.

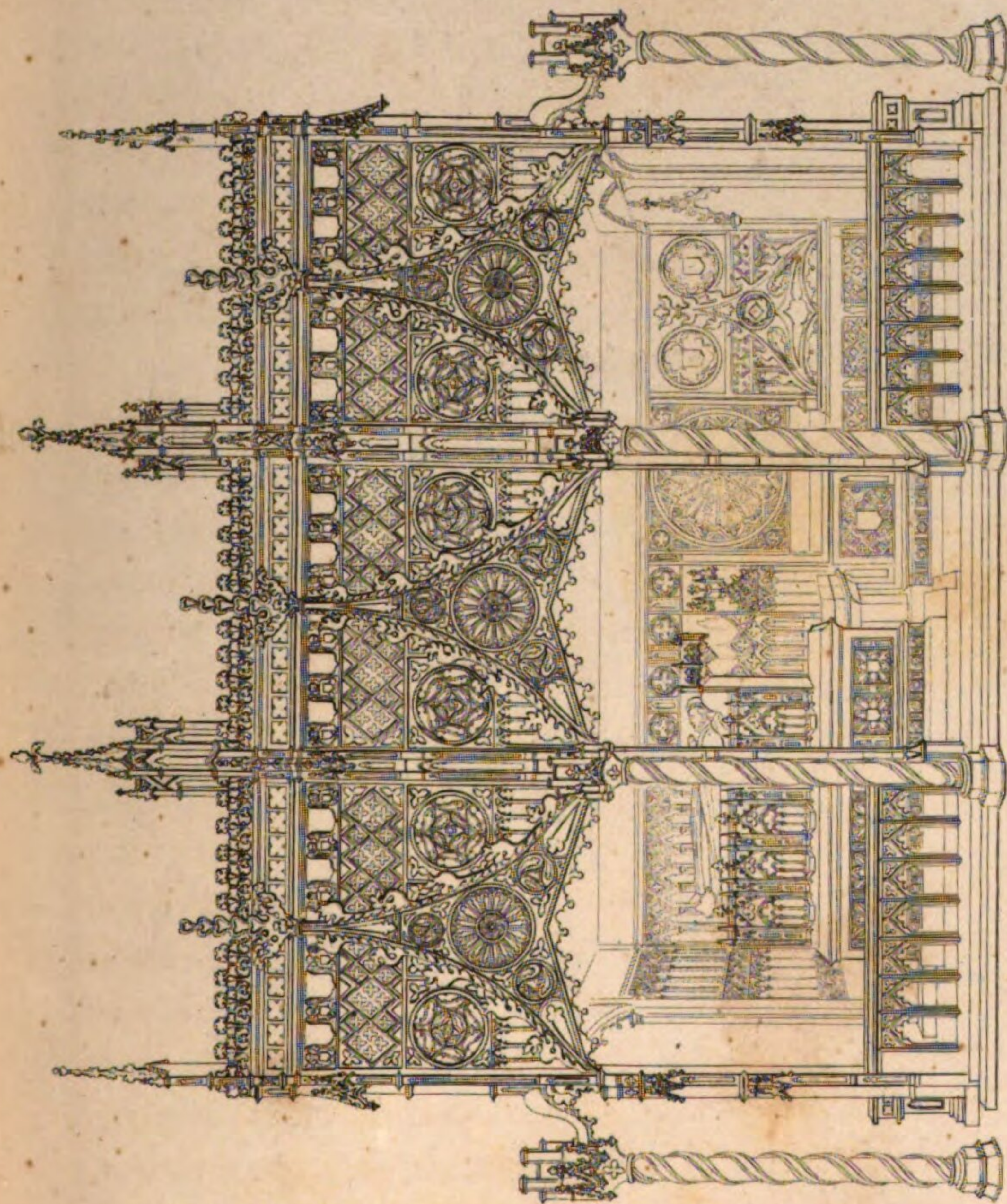
3°. In the wall, which has been cut away for its admission, between the choir and the altar of our Lady's chapel, is seen a tomb, or, more properly, a cenotaph, of alabaster, the sides of which are open, and divided into arches, with pendants. It is a monument, raised to the memory of John Fitzalan, Earl of Arundel, the son of the preceding. During his life, he had selected this spot for the place of his interment, and, by his will, ordered his body to be buried here. His death, however, happening at Beauvais, in 1435, his executors were induced to prefer the cathedral of that city for

this purpose :^a and, to commemorate his wish, the piety, probably, of his widow erected the present tomb. Extended on the slab that forms its covering, lies his effigy, in plate armour, with a round helmet, a collar of SS., a dagger at his left side, a sword at his right, and, at his feet, the Fitzalan cognizance, a horse. Beneath this, and enclosed within the arches of the tomb, lies the representation of the same body, emaciated by sickness, and stretched upon a shroud. The skeleton appearance of this figure is in the best style of workmanship; and the whole monument, though injured and mutilated, still retains much of its original beauty.

4°. The tomb of William, Earl of Arundel, the brother of the last mentioned John, and of his countess, Joan, sister to the well-known Richard Neville, Earl of Warwick, is on the south side of the choir, under a canopy of Sussex marble, elaborately carved, and, in its original state, richly painted and gilt. The space beneath the canopy is divided into two compartments, whereof one is occupied by the body of the tomb, the other is intended to serve as a chapel, or oratory. The altar, which still remains, is formed by the projection of the lower stage of the tomb, at the west end. The tomb itself is of considerable height, and is composed, like the canopy, of Sussex marble, similarly carved. On the top, lie the effigies of the Earl and Countess in their robes of state, having, the former, the Fitzalan horse, the latter, a griphon, as the cognizance of the house of Neville, at their feet.^b This monument has

^a See p. 302 of this history.

^b These figures have lately been removed, and are now lying on the tomb of John Fitzalan, in the middle of the chapel of our Lady.



TOMB OF WILLIAM FITZ-ALAN EARL OF ARUNDEL

on the South side of the Collegiate Chapel at Arundel

From a Drawing by GRIMM in the Burrell MSS.

Engraved by T. KING of Chichester

often been extolled for its beauty: but, from the want of simplicity and of boldness which it betrays, in the ornamental parts, it may, perhaps, after all, be regarded, and not improperly, as little better than a gaudy specimen of declining taste. Of its artist nothing is known. Its shallow mouldings, however, are partly English and partly Italian; and it is not improbable, therefore, that we are indebted to some native of the south for its design. The tomb of Ubertino di Bardi, in the church of Santa Croce, at Florence, of Niccolo Acciaiuoli, in the Cortosa there, and of Cino Sinebaldi, in the cathedral of Pistoia, are much in the same taste. The figures are of a better order. They "are carved," says Stothard, "in a softer stone, and possess considerable merit, the draperies being executed in the angular style of Albert Durer."^a

5°. On the north side of the choir, opposite to the tomb of William, is that of his son and grandson, successively Earls of Arundel. Without any ornament itself, it stands beneath a heavy and ungraceful canopy of Sussex marble, which, contrasted even with the slender columns and light proportions, that adorn the monument of Earl William, presents a melancholy, but striking, evidence of the rapidity with which taste continued to decline, during the reigns of Henry the eighth, and his three immediate successors. The canopy is supported, in front, by four pillars rudely carved; above which, the pediment displays, on several shields, the

^a Monumental Effigies. The whole of Stothard's account of this monument is copied, without acknowledgment, in the new edition of Mr. Dallaway's Rape of Arundel (199.); but the editor has forgotten to remove Mr. Dallaway's own description, which now stands as that of a separate and additional tomb.

arms, not only of Fitzalan and Maltravers, but also of Percy, Lovaine, Lucy, Poynings, Fitzpayne, and Bryan. The roof and sides are laden with a profusion of uncouth ornament; and, at the back, is fixed a brass plate, with the following inscription.

“ In this tombe doth rest the bodies of the right honorable Thomas, Earle of Arundell, Baron Maltravers, and of Clime (Clun), Knight of the most noble order of the Garter, that married La. Margret, one of th’eyres of Richard Woodvile, Earle Rivers, sister to Elizabeth, Queene of England, sometime wife to Kinge Edw. 4 : which Thomas died, An^o. xvi^{to} of Kinge Henry 8, 1524. And Will^m, also Earle of Arundell his soñe, Baron Maltravers, and of Clyme, &c., and Knight of the sayd most noble order, that married Anne, daughter of Henry Percy Earle of Northumberland, w^{ch} Will^m died, An^o. xxxv^{to} of Henry 8, and was father to Henrye, last Earle of Arundell, entombed in this church at Arū^dell. Placed for remē^{br}ance, per Johⁿem, Barone^m Lumley, 1596.”

6^o. The remaining monument is that of Henry, Earl of Arundel, mentioned in the preceding inscription, as the last Earl of his family. It is a large mural tablet, at the south end of the altar, composed of various kinds of marble, and, probably, if we may judge from several expressions in the following inscription, which it bears, intended originally to be adorned with an effigy of the Earl.

Virtutis Laus Actio.

Virtuti et Honori Sacrum.

Magnanimus Heros, cujus hic cernitur effigies, cujusque hīc subter sita sunt ossa, hujus territorii comes fuit; sui generis, ab Alani filio cognominati, longāque serie derivati, ultimus: Henricus dictus, a Maltraverso, Clunensi, et Oswaldestrensi, honoribus eximiis, Dominus insuper ac Baro nuncupatus: Garteriani ordinis equestris sane nobilissimi sodalis, dum vixit, antiquissimus: Arundeliæ Comitiss, Gulielmi,

filius unicus et successor, omniumque virtutum particeps ; qui Henrico octavo, Edovardo sexto, Mariæ, et Elizabethæ, Angliæ regibus, a secretis consiliis : villæ quoque Calesiæ præfecturam gessit ; et cum Henricus rex Boloniam, in Morinis, obsidione cinxerat, exercitûs sui tum Mariscallus primarius : Deinde regis Camerarius fuit : ejusque filio, Edovardo, dum coronaretur, Mariscallatûs regni officium gerebat ; eique, sicut antea patri, Camerarius factus. Regnante vero Mariâ reginâ, coronationis solempni tempore, summus constituitur Constabularius, domûsque suæ regiæ postmodum Præfectus, ac consilii Præses ; sicut et Elizabethæ reginæ, cujus similiter hospicii Senescallus fuit.

Ita vir iste, genere clarus, publicis benefunctis magistratibus clarior, domi ac foris clarissimus, honore florens, labore fractus, ætate confectus, postquam ætatis suæ annû 68 attigisset, Londini, xxv die Februarii, anno nostræ salutis a Christo MDLXXIX, pie et suaviter in Domino obdormivit.

Johannes Lumley, Baro de Lumley, gener pientissimus, supremæ voluntatis suæ vindex, socero suavissimo ac patrôno optimo magnificentissime hîc funerato, non memoriæ quam immortalem sibi multifariis virtutibus comparavit, sed corporis mortalis ergô, in spem felicitis resurrectionis reconditi, hanc illi ex propriis armaturis statuam equestrem, pro munere extremo, uberibus cum lachrimis devotissime consecravit.

Virtuti studeas, bona nec differto, viator :

Sic tua post cineres gloria major erit.

To the Earls and other members of the HOWARD family, interred in this chapel, no monuments have been erected. The principal vaults, in which they repose, are distinguished as the North and South Vaults, —the former having its entrance on the north, the latter on the south, side of the tomb of John Fitzalan, Earl of Arundel, which stands in the middle of the chapel of our Lady. The following inscriptions are still existing on the coffin-plates.

1°. On that belonging to the iron chest which encloses

the remains of Philip, Earl of Arundel, in the north vault:—^a

Philippi, Comitis olim Arund. et Sur. ossa veneranda hoc loculo condita, impetratâ a Jacob. rege veniâ, Annæ uxoris dilectiss. diligenti curâ, Thomæ filii insigni pietate, a Turri Lond: in hunc locum translata sunt, anno MDCXXIII. Qui primò, ob fidei cathol: professionem, sub Elizabethâ carceri mancipatus, deinde pænâ pecuniariâ decem mille lib: mulctat', tandem capitis iniquiss. condemnatus, post vitam in arctiss. custodiâ, in eâdem Turri, an. decem, mens. sex, sanctiss. transactam, piissime xix Octob. A°. MDXCV., non absq. veneni suspicione, in Dño obdormivit.

2°. On the coffin-plate of Thomas Howard, Earl of Arundel, the son of the preceding, in the north vault:—

Hic jacet illustrissimus et excellentiss. Thomas Howardus, unicus Philippi, Comitis Arundelliae, ex Annâ Dacraeâ, filius, Thomæ, Ducis Norfolciae, ex Mariâ Fitzalanâ, nepos, Arundelliae, Surriæ, et Norfolciae Comes: Angliæ comitum vetustâ dignitatis serie primus. Illius regni Comes Mariscallus. Inclitæ Howardorum gentis princeps. Baro Howardus, Mobraius, Seagrave, Bruceus de Gower, Fitzalanus, Clun, Oswaldestre, Maltravers, et Greystock. E sanctoribus consiliis regnorum Angliæ, Scotiæ, et Hiberniæ, Jacobo et Carolo regibus, et nobilissimi regii ordinis Eques. Vir ingenii præstantiâ, eloquii facundiâ, morum elegantiâ, animi fortitudine, et rerum gerendarû prudentiâ, eximius. Claris legationibus ad externos principes obitis, et domi supremis reipublicæ muniis, tam bello quam pace, summâ laude administratis, cum iminentem patriæ tempestatem, quam longe præviderat, sapientissimis monitis avertere non valeret, præsens spectare non sustinens, sponte Angliâ extorris, in celebri Italiæ urbe Patavinâ Deo animam reddidit. Reliquit ex Alatheîâ Talbotâ, nobilissimâ foeminâ, Gilberti, Salopiæ comitis, filiâ, martiæ illius domûs herede, uxore unicâ, liberos superstites, Henricum, honorû paternorû et virtutû heredem, et Gulielmum, Staffordiæ vicecomitē. Vixit años 62. Diem clausit extremû 26 Septem. 1646.

^a This chest is nearly in the shape of a small coffin: but its widest part is in the middle, where it measures exactly twelve inches across. Its length is two feet six inches.

3°. On the coffin-plate of Henry-Frederic, Earl of Arundel, son of the preceding Thomas, in the north vault, the following is inscribed :—

Hic jacet illustrissimus et excellentissimus Henricus Howardus, Thomæ, Comitis Arundelliae, Surriæ, et Norfolciæ, filius, ex Aletheiâ Talbotâ, priorû Salopiæ comitum herede, Arundelliae, Surriæ, et Norfolciæ Comes ; Angliæ comitum antiquâ majorum dignitate primus ; illius regni Comes Mariscallus ; nobilissimæ gentis Howardianæ princeps ; Baro Howardus, Mobraius, Segrave, Bruceus de Gower, Fitzalanus, Clun, Oswaldestre, Maltravers, et Greystock. Vir inconcussâ erga Deum pietate, et erga principem fide ; filius, conjux, pater optimus, in amicitia constans, in prosperis temperatus, in adversis imotus, ingenio, prudentiâ, et animi magnitudine sumus, rarum denique, in tanto fastigio, virtutum omnium exemplar : Vir maximis christiani orbis regibus atque imperatoribus, a quibus sanguinem duxit, plane dignus ; solâ ævi brevitatem, temporum infelicitatem, pressus. Filios ex Elizabethâ Stuartâ, nobilissimâ feminâ, Esmei, Lennoxiae Ducis, filiâ, uxore unicâ, superstites reliquit, Thomam, Henricum, Philippum, Carolum, Edwardum, Franciscum, Bernardum, et Esmæum ; filias, Catharinam, et Elizabetham. Vixit annos 43, menses 7, dies 24. Immaturâ morte, bonis omnibus mœrentibus, naturæ debitum solvit, 17 Aprilis, anno a Christo incarnato supra millesimum et sexcentessimum quinquagesimo secundo.

4°. On the coffin-plate of Henry, Duke of Norfolk, second son of the last Earl, in the south vault, this inscription remains :—

DEPOSITUM Illustriss. Princ̃ Henrici, Ducis Norfolciæ, et Comitis Mariscalli Angliæ ; Comitis Arundeliæ, Surregiæ, Norfolciæ, et Norwic : Baronis Howard, Mowbray, Segrave, Brews de Gower, Fitzalan, Clun, Oswaldestre, Maltravers, Graystock, et Howard de Castle Rising ; filii secundo geniti Hen. Comit. Arundeliæ etc.^a per Eliz. uxorem ejus, excellentiss. Principis, Esmæi, Ducis Leviniae, filiam, fratris autem et hered. illustriss. Thomæ, nuper Ducis Norfolciæ etc.^a, nati (in ædibus Arundelianis) Londini, 12° Julii, 1628, et ibidem denati, 11° Jan. 1683, a° ætatis suæ 55.º Requiescat in pace.

5°. On the coffin-plate of Anne, sister to the above, in the north vault :—

DEPOSITUM D. Annæ Howard, filiæ ill^{mi}. Domⁱ. Henrici Howard, Domⁱ Matravers, inclytissimæq. Domⁱ Elizabethæ Stewart, uxoris ejus, quæ, nata mensis Januarii die XVIII.^o, obiit die VIII.^o Aprilis, An^o Domⁱ. MDCXXXII.

6°. On the coffin-plate of Elizabeth, sister to the above, in the south vault :—

The Hon^{ble} Lady Eliz. Russel, daughter to Hen. Fred. Earl of Arundel, and sister to Tho. and Hen^y. late Dukes of Norfolk. Dyed 6th March, 1705-6, aged 54 years.

7°. On the coffin-plate of Henry, son and successor to the last Duke, in the south vault :—

DEPOSITUM Illustrissimi Principis Henrici, Ducis Norfolc., Comit^{is} Mariscalli Angliæ Hereditarii, Comit^{is} Arundel, Surr., Norfolc., et Norwic., Baronis Mowbray, Howard, Segrave, Brewse (de Gower), Fitzalan (de Clun et Oswaldestre), Maltravers, Greystock, Furnivall, Verdon, Lovetot, Strange (de Blackmere), et Howard de Castle Rising. Post principes stirpis regiæ, primarii Angliæ Ducis, Comit^{is}, et Baronis ; Gulielmo III.^o regi serenissimo a sanctoribus consiliis, Constabularii et Gubernatoris castri regalis et honoris, nec non Guardiani forestæ de Windsor, Locum-tenentis provinciarum Norfolc. Surr. et Berks, civitatis Norwic. et provinciæ dictæ civitatis, ac custodis rotulorum earundem provinciarum Norfolc. et Berks ; nobilissimique ordinis Aureæ Periscelidis Equitis. Improbis obiit, secundo die Aprilis, Anno Domini MDCCI^o, ætatis suæ XLVII.^o ineunte.

8°. On the coffin-plate of John, half brother to the preceding, in the north vault :—

The body of the Right Honorable John, Lord Howard, third son to Henry, Duke of Norfolk, by Jane, Duchess of Norfolk, his second wife ; dyed, aged nine monthes and four days, the second of December, MDCLXXXII.

9°. On the coffin-plate of Jane, Duchess of Norfolk, mother of the above John, in the south vault:—

DEPOSITUM Illustrissimæ Dñæ D. Janæ, Ducissæ Norfolkciæ, relictæ illustrissimi Principis, Henrici, Ducis Norfolkciæ, et Comitis Mariscalli Angliæ, Comitis Arundeliæ, Surregiæ, Norfolkciæ, &c. obiit apud Rotherham, agro Eboracensi, xxviii^o die mensis Augusti, Anno Dñi MDCXCIII., ætatis suæ XXXXIX.

10°. On the coffin-plate of George, eldest son of the preceding, in the south vault:—

The R^t Hon^{ble} the Lord George Howard of Norfolk, third son of Henry, Duke of Norfolk. Died March y^e 6th 1720, anno ætatis 54.

11°. On the coffin-plate of Thomas, nephew and successor to Henry, the last Duke of Norfolk, in the south vault:—

The most high, puissant, and most noble Prince, Thomas, Duke of Norfolk, Earl Marshal, and Hereditary Marshal of England; Earl of Arundel, Surrey, Norfolk, and Norwich, Baron Mowbray, Howard, Segrave, Brewse of Gower, Fitzalan, Warren, Clun, Oswaldestre, Maltravers, Greystock, Furnival, Verdon, Lovetot, Strange of Blackmere, and Howard of Castle Rising: first Duke, Earl, and Baron of England. Dyed Decemb. 23, 1732, aged 49 years. Requiescat in pace.

12°. On the coffin-plate of Henry, brother of the preceding, in the south vault:—

The Hon^{ble} Henry Howard of Norfolk. Died, Novemb. y^e 22^d, 1720, aged 36 years. Requiescat in pace.

13°. On the coffin plate of Elizabeth Mary, mother of the last two, in the north vault:—

The Right Hon^{ble} Lady Mary Howard of Worksop. Died, Decemb. the 11th, 1732, aged 71 years. Requiescat in pace.

14°. On the coffin-plate of Edward, brother and successor to Thomas, the last mentioned Duke of Norfolk, in the south vault:—

The most high, mighty, and most noble Prince, Edward Howard, Duke of Norfolk, Earl Marshal, and Hereditary Marshal of England, Earl of Arundel, Surrey, &c. Died the 20th day of Septemb. 1777, in the ninety-second year of his age.

15°. On the coffin-plate of Mary, wife of the preceding, in the south vault:—

The illustrious Princess, Mary, Duchess of Norfolk. Died 27th May, 1773, in the 71st year of her age.

16°. On the coffin-plate of Catherine, mother of Charles, late Duke of Norfolk, in the south vault:—

The most noble Princess, Catherine, Duchess of Norfolk. Obiit Novemb. 21, 1784, ætat. 66. Requiescat in pace.

17°. On the coffin of Lord Henry Molineux Howard, brother to the present Duke of Norfolk, in the south vault:—

The Right Honourable Lord Henry Thomas Howard Molineux Howard, Deputy Earl Marshal of England, High Steward of the City of Gloucester, brother to his Grace, the most noble Bernard Edward, Duke of Norfolk, Earl Marshal, and Hereditary Earl Marshal of England. Born vii October, MDCCLXVI. Died xvii June MDCCCXXIV.

18°. The above, it will be observed, are all in what are called the north and south vaults. There is a third vault, however, which is in the collegiate chapel, in the neighbourhood of the high altar, on the north side of the sanctuary, extending east and west, under the second, third, and fourth steps, and about two feet from the canopy erected over the tomb of Thomas and William,



Sir ad'm Ertham p'm mestre d'cest College
gilt ycy dieux de s'alme eyt mcy amen

Earls of Arundel. Over its arch, in the top step leading to the altar, is a stone, inscribed with the words, "HEARE IS T^E VOATE." It is small, and of comparatively recent construction: and contains only four coffins. On that of Philip, brother of Thomas and Edward, Dukes of Norfolk, the following inscription still remains:—

The Hon^{ble} Philip Howard, of Buckenham, in Norfolk. Died Jan^y. y^e 23d, 1749, aged 61 years.

19°. On the coffin of Thomas, eldest son of the preceding:—

The Hon^{ble} Thomas Howard. Died Jan^y. 11, 1763, aged 34.

20°. On the coffin of Edward, the younger brother of Thomas:—

The Honourable Edward Howard, presumptive heir to his Grace, Edward, Duke of Norfolk. Died the 7th of February, 1767, in the 24th year of his age. Requiescat in pace.

21°. The remaining coffin is, probably, that of Winifrede, the first wife of Philip, and the mother of Thomas, Howard, the elder of the two preceding brothers. It is, however, placed under that of Thomas, and its inscription, therefore, is not visible.

The floor of these chapels was originally inlaid with a variety of brass figures and inscriptions, of which, however, a few mutilated remains are all that now exist. To the industry of Gough, and of Sir William Burrell, we are indebted for the preservation of several of the inscriptions. The following are the principal.

1°. Under the half length figure of a priest, in brass, still seen near the entrance of the chapel from the church, we have this memorial:—

Sir Adm Ertham p'm^a mestre d' cest college gist pcp: dieux
de s'alme ept m'cy, amen.

2°. Under the figure of a priest, probably in the
stone adjoining the above, where a figure without an
inscription still remains:—

Hic jacet corpus humatum Dñi Will'i Whyte s'c'di Magr'i
hui' Coll. qui obiit xx die mensis Feb. A. D. MCCCXX.
..... ac multa bona contulit
huic collegio. cujus anime propitietur Deus. Amen.^b

3°. Under a half length figure of a priest, in the
chapel of our Lady:—

Hic jacet Dñus Esperaunce Blondell q'nda rector eccl'ie de
Sutton, cuj' aīe p'picietur De'. Amen.

4°. Under the brass figure of a priest, which still
remains, with a label issuing from his mouth, inscribed,
“Miserere mei Deus,” &c. in the chapel of our Lady, the
following was formerly seen:—

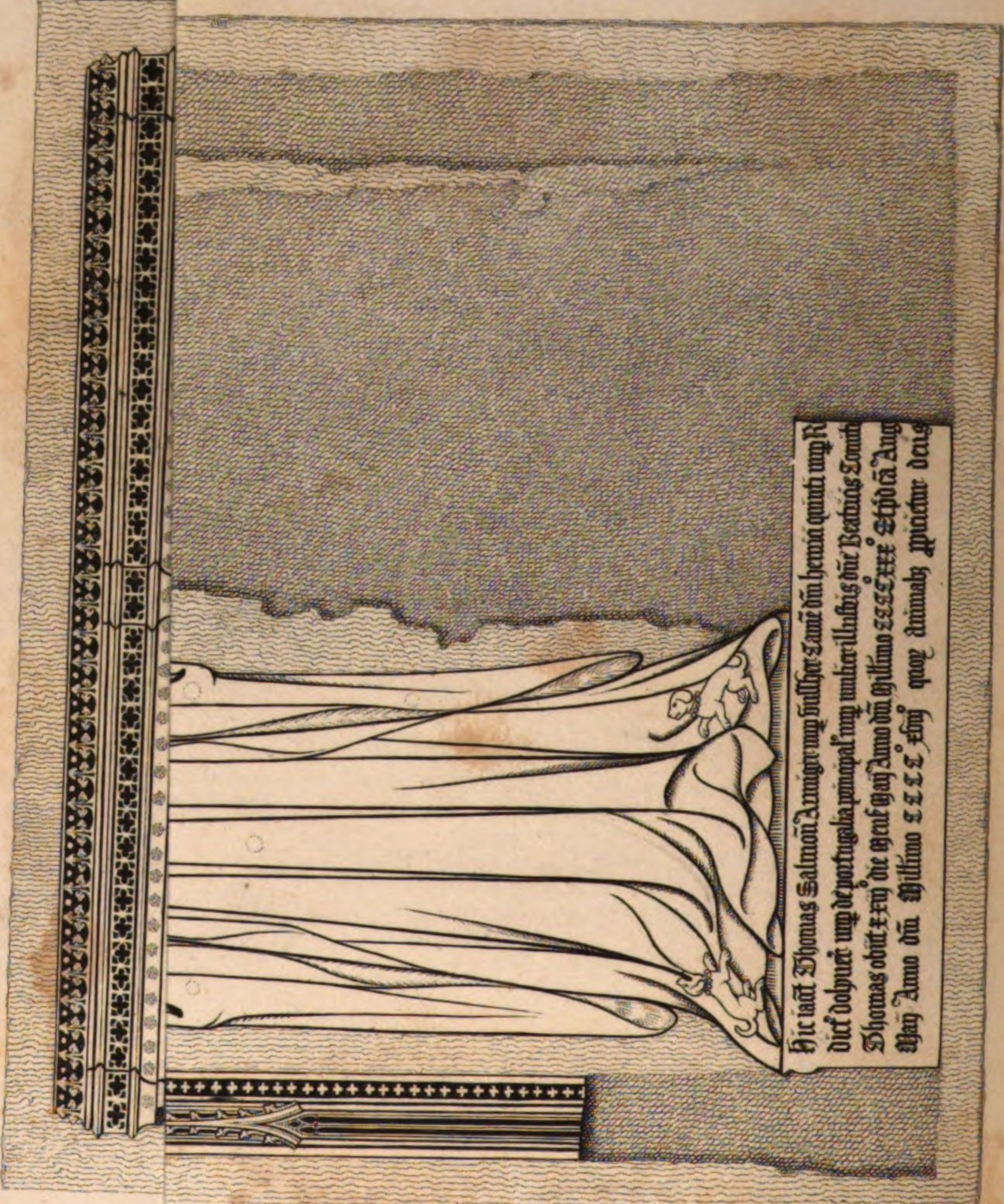
Hic jacet Dñus Joh'es Baker, nup' socius hujus Collegii, qui
obiit xv. die Martii A° Dñi MCCCCA. cujus aīe propitietur
Deus, Amen.^c

^a The difficulty, hitherto experienced in deciphering this word, has
evidently arisen from the circumstance of more than half of the second
stroke of the *p* having been filled up with a hard incrustation, which
reduced it to the form of the Saxon *r*. On cleaning the brass, how-
ever, the real letter, as seen in the accompanying engraving, soon
became visible, and there can now be little doubt, that the word in-
cluded under the contraction is “*premier*,” and that Ertham was in
reality the *first*, as Whyte was the second, master of the college.

Since the above was written, the whole of the inscription has been
torn away, and broken, by the workmen who have access to the
chapel.

^b Gough, Sepulch. Mon. vol. 2, part 2, p. 52.

^c Ib. 178. Burrell, MS. 5699. Since the above was written, the
label has been torn away, and broken, by the workmen.



Hic iacet Thomas Salmon Armiger noster huiusmodi huiusmodi huiusmodi
dicti doliueri noster de portugalia principalis noster noster illis huiusmodi
Thomas obiit xij die mensis maii Anno domini millimo cccc lxxv
May Anno domini millimo cccc lxxv quod animalis pueri deus

5°. Under a half length figure of a priest, in the chapel of our Lady, still perfect :—

Hic jacet Dominus Robertus Warde, qui obiit iii°. die Ap'lis Anno Dñi millesimo cccclxxiiij, cuj. aīe p'picietur Deus, Amen.

6°. Under the figure of a priest holding a chalice in his hands :—

Hic jacet Dñus Johes Mundy quondam submagister hujus Collegii, qui obiit iii°. die Feb. A. D. MDLII. cujus aīe p'picietur Deus, Amen.^a

7°. At the head of the tomb of Thomas, Earl of Arundel, and Beatrix his wife, is a large slab of Sussex marble, formerly inlaid with the two figures of an esquire in armour, and his wife, standing under rich canopies. That of the esquire has long since disappeared : that of his lady, with so much of the inscription as still remains, is given in the accompanying engraving. The latter, when perfect, was as follows :—

Hic jacet Thomas Salmon, Armiger, nup' uxsher cam'e Dñi Henrici quinti, nup' regis Angliæ, et Agnes uxor ejus, alias dict' D'Olyber, nup' de Portugalia, principal' nup' mulier illustris' Dñe Beatrixis, Comitisse Arundel et Surr' ; qui quidem Thomas obiit xxiii°. die mens' maii, Anno Dñi milli'mo ccccxx, et p'd'ta Agnes obiit penultimo die mensis maii, Anno Dñi milli'mo ccccviij : quor' animab' p'pietur Deus. Amen.^b

8°. Adjoining the preceding, on the south side, is another stone, inlaid with figures of a knight and his lady, and an escutcheon, paly of eight. Under the knight, the following inscription, in bad latin verse, still remains perfect :—

^a Burrell MS. 5699.

^b Gough, Vol. 2. Part 3. p. 358.

Siste pedem, cerne, rogo, funde p'camina pro me;
 Elapsis annis fueram quod es: esto Joannis,
 Queso, memor dicti Threel; modo sum quod eris.
 Pretulit hospitio me tunc Comes ecce Willms
 Marpschall officio: sic vadit omnis honor.
 Preteriere dies, nil certu, certa tamen mors,
 Hora si incerta. Me speculeris ita,
 Que mors surripuit Dñi post mille quater cccc
 Annos sexagenos, quinque simul numeratis,
 Aprilis decimu his superadde diem.

The following was formerly under the other figure, but has now disappeared:—

Hujus sponsa fui, quondam vocitata Joanna,
 Ante tamen cecedi nece nullo posse neganda.
 Hic ancillabi comitissis ante duabus.
 Filia prima fuit regisque vocata Beatrix
 Portugall' regno tunc oriunda suo,
 Regum procedens ex stirpe: secunda Joanna.
 His sum conjuncta morte, prius famula.
 Prospice præsentes tumulos queis claudim' omnes;
 Omnes terra sumus, sic erit omnis homo.
 Fata tulere in vitam tunc mille notando
 Annos quadringentos quinquaginta novemque,
 Quartum Septembris, atque diem decimum.^a

9°. On a stone, in the same chapel, the following formerly appeared:—

Here lyeth Richard Lamplow, sometime carver unto the right famous and worthy lady, Jane, Countess of Arundell, and wife unto the right high and mighty Earle, William of Arundell. The whiche Richard deceased the 23^d day of Sept., in the yeare of o^r Lord MCCCCLXIII. On whose soul Jh̄su have mercy.^b

^a Burrell MS. 5699.

^b Ibid.

10. On a mural monument which has lately fallen from the north wall of the chapel of our Lady:—

Deo Opt. Max. Robertus Spillerus animam commendavit; corpus autem hic sepulturam speciali favore obtinuit. Vixit annos 75, de quibus per 23 annos œconomus fuit illustrissimæ Dñæ Annæ, Comitissæ dotariæ Arundellia et Surriæ, è cujus familiâ Margaretam, Roberti Cursoni filiam, uxorem charissimam duxit. Post mortem Comitissæ, præclarissimo ejus filio, Thomæ, Comiti Mariscallo Angliæ, fideliter inservivit. Tandem, plenus dierum, calculo gravissime laborans, pie in Domino obdormivit, die mensis Januarii decimo secundo, Aº. Dom. 1633.

The following list of the Masters of the college is as perfect as a careful inspection of existing documents can render it. Masters.

1380. Adam Ertham, called in the inscription on his grave “first Master:” he must have died before Michaelmas, 1382.

1382. William Whyte, described as master, in the account roll of the college for the year ending Michaelmas, 1383. Died Feb. 20, 1419. See the inscription formerly on his grave.

1419. John Colmorde; he is described as master, in the account roll of the college for the year 1420 (8 Hen. 5); and may, therefore, be presumed to have succeeded Whyte, in 1419. He was still alive in 1443, in the roll of which year he is mentioned. MS. Computus at Norf. House, 8 Hen. 5, and 22 Hen. 6.

1447. Edward Poynings. An original lease of some tenements in Arundel granted by “Edw. Poynings, master of the college,” in 1447 (26 Hen. 6.), still exists at Norfolk House (Bundle A. Nº. 9.). He must, therefore, have succeeded Colmorde, some time between the years 1443, and 1447. He died in February, or March, 1484. Regist. Episc. A. fol. 26.

1484. John Neele, admitted March 10, 1484 (Regist. Episc. A. fol. 26): he was still alive in 1494, and is mentioned in the account roll of that year (9 Hen. 7), at Norf. H.

1499. John Dogett, D.D. In the episcopal register, A. which, in other respects also, is extremely imperfect, there is a chasm of nearly

eight years, from October, 1491, to June, 1499 ; but, in the following October, there is an entry of a presentation to the vicarage of Goring, by " John Dogete, Decret. Doct. master of the college of the Holy Trinity at Arundel." Dogett must, therefore, have succeeded Neele, some time between the years 1494, and 1499. He died in June, 1501. Regist. Episc. A. fol. 11.

1501. Henry Ediall, admitted, June 28, 1501 (Regist. Episc. A. fol. 11.) : died, August, 1520. Regist. Episc. C. f. 17.

1520. Edward Hygons, D. D., admitted, August 28, 1520 (Regist. C. f. 17) : alive, April 24, 1535, on which day he signed a deed, recited in the episcopal register, B. fol. 3^b.

1539. Alan Percy. There is no entry of his admission, and none, consequently, of the death of his predecessor, in the register. A deed, however, is recited, which was signed by him, as master, October 5, 1539 (Regist. B. fol. 3^a) : so that, he must have succeeded Hygons some time during the four preceding years. He surrendered the college to the king, December 12, 1544. He was son to Henry, Earl of Northumberland, and, consequently, maternal uncle to Henry, Earl of Arundel, to whom the college was granted.

CHAPTER X.

ECCLESIASTICAL FOUNDATIONS.—PRESENT PAROCHIAL CHURCH OF ST. NICHOLAS—SALMON'S CHANTRY—MAISON DIEU, OR HOSPITAL OF THE HOLY TRINITY—DOMINICAN PRIORY—CHAPEL IN MARY GATE—CHAPEL OF ST. MARY—CHAPEL OF ST. JAMES AD LEPROSOS—CHAPEL OF ST. LAURENCE—PRIORY OF CALCETO.

It was observed at the commencement of the preceding chapter, that, of the ancient parochial church every vestige had long since disappeared. In the history of its connexion with the priory, indeed, the reader will scarcely fail to have remarked the causes, and almost to have watched the progress, of its decay. Neglected originally by the poverty of its possessors, its ruin was rapidly advanced during the wars of the third Edward, and the consequent absence of the religious: so that, when the foundations of the new college were laid, in 1380, it was deemed advisable to remove the former building, and replace it with a structure, which should be immediately connected with the collegiate chapel. To this circumstance the present church is indebted for its origin. In dimensions, and regularity of design, no less than in architectural proportions, it is equal, if not superior, to most of the churches in the surrounding district. Its materials are common to the better order of ancient buildings in Sussex,—cut flint intermixed with square blocks of stone, and Pulborough stone in the copings, quoins, buttresses, and arches. It consists of a nave and two aisles, with a transept and square

Present
parochial
church.

bell-tower, uniting it, at the east end, to the collegiate chapel, which, from its appearance and situation, has frequently been mistaken for the chancel. The principal entrance is at the west end, and is covered by a stone porch evidently coeval with the rest of the building: another porch, of the same age and material, but of a different form, gives admission, on the south side, to an arched doorway of considerable width; and a third, constructed of oak, and, probably, of modern origin, marks a corresponding entrance on the north. The arches of all these doorways, as well as those of the porches, on the south and west sides, are of the pointed form: over them, is a plain square canopy, or moulding, springing from corbels at the western entrance, but, in the other instances, with simple returns, without corbels; and, in the spandrels both of the doorways and the porches, are quatrefoils enclosing shields, which, probably, were once emblazoned. The church is lighted by eleven principal windows, of which, that over the western door is considerably the largest. Of the others, which are of the same design, and filled with tracery, one is in each of the transepts, and the rest are ranged equally along the north and south aisles: whilst a row of small, but singularly formed windows, of the quatrefoil shape, placed within circular perforations, occupies the space generally known as the clerestory. The leaded roof of the nave, as well as that of each aisle, is flat: and the low tower is surmounted by a square pyramidal covering, which, though said to have been erected as a land-mark for vessels in the channel, will hardly find sufficient, in its equivocal utility, to apologize for the deformity of its appearance.



Edw. Lear del.

C. J. Smith sculp.

NAVE OF ARUNDEL CHURCH.

The general character of the interior is calculated rather to convey an idea of cleanliness and order, than to awaken any of the more solemn feelings of religion. The communion table, which is placed in one of the transepts, has now become invisible from the body of the church: the pews, which crowd the space below, speak more of modern comfort than of real devotion; and the galleries, recently introduced over each of the aisles, by disfiguring the simplicity, have destroyed also much of the solemnity, of the place. Yet, with all these faults, the consequences of modern improvement, there is still much to admire in the general structure. The nave measures eighty-two feet, six inches, in length, by twenty-four feet, in width, and is separated from the aisles, which add a space of twenty-six feet, six inches, to the breadth of the edifice, by a double line of five pointed arches, springing from plain clustered pillars, each measuring three feet in diameter, and composed of four slender circular shafts united by flutings. Two other corresponding arches open from the aisles into their respective transepts; and four more, of similar design, but grander dimensions, support the tower, beneath which the view was originally open to the collegiate chapel, and the high altar. Against the pillar, that sustains the south-west corner of the tower, a beautiful stone pulpit still remains. It is of the semi-hexagonal form, and opens with three arches, supporting a canopy above. The canopy itself, like the pulpit, is of stone: the roof is richly groined; and the front, or pediment, is embellished with crockets and other ornaments of florid architecture. The erection of galleries, however, in the church, has rendered this pulpit useless,

in its original character: it has, therefore, been lately surrounded with curtains, and converted into a private pew.

The south transept, which is also the chancel, was formerly occupied by the parochial altar: it now contains the communion table, and the font. The latter is of Sussex marble, but has been painted stone-colour. It is octagonal, upon an octagonal shaft, with a corresponding pedestal, and its sides, as well as those of the shaft, are carved in panels resembling the windows of the college. Its age is not anterior to that of the church.

Salmon's
Chantry.

The north transept was anciently distinguished by the appellation of "Salmon's Chantry." It was a chapel, whose altar was dedicated to St. Christopher, and in which, if we may judge from its name, a chantry, probably of a temporary nature, had been established by a person named Salmon, at an early period. Its obligations, however, must have expired before the year 1440, when Richard Wakehurst, Walter Urry, and William Okehurst, either for themselves, or, as appears more likely, as trustees or agents for a person, named Edmund Mille, obtained a patent from the king, authorizing them to found a perpetual chantry, for one priest, at the altar of St. Christopher. To support this establishment, it was proposed to annex the appropriation of the church of Rudgewick to the foundation, and to grant to the incumbent's use an acre of land in the same parish, together with another acre, which should form the site of his residence, in Arundel. From his receipts, however, the customary portion of the vicar of Rudgewick was to be deducted; he was to distribute the sum of

forty pence, annually, among such of the poor inhabitants as the said vicar should consider most deserving; and he was, in consideration of his endowment, to celebrate a daily mass, at the altar of St. Christopher, for such intentions as the founders should subsequently specify. This arrangement, which had already been sanctioned by the king, was finally confirmed by bishop Praty; and, on the ninth of May, 1444, William Baynton, one of the members of the college, was solemnly admitted as chaplain.^a

The roof of the nave and transepts of the church is constructed of oak; that of the aisles is ceiled and white-washed. The tower contains a ring of six bells, of which some have been re-cast: but the oldest, as they at present exist, bears the date only of 1702.

In the year 1511, a dispute arose between the college, on the one part, and the mayor, burgesses, and parishioners, on the other, as to the liability of their respective bodies to repair the transepts and tower, with the bells and other appurtenances, belonging to the latter. By consent of the parties, the point at issue was, at length, referred to the arbitration of Thomas,

^a Regist. Episc. E. f. 40. 103^b. 104. Notwithstanding the authority of this document, which describes Wakehurst, Urry, and Okehurst, as the founders of the chantry, I am inclined to think that they were merely the agents, or, perhaps, the executors, of Edmund Mille. On the ninth of October, 1482, John Chambers was admitted to the incumbency, on the death of William Holden, the former chaplain: and we are expressly told, that he was presented by Thomas Combe, who was the patron, for that turn, "*ratione custodiæ, sive minoris ætatis, Willⁱ Mille, filii et heredis Ricⁱ Mille, nuper filii et heredis Edmundi Mille, fundatoris ipsius cantariæ.*" Regist. Episc. A. fol. 22. The patent (19 Hen. 6. p. 2.) for the foundation is lost.

Earl of Arundel, and Robert Sherburne, bishop of Chichester: and an award was shortly after published, by which the burthen was equally divided between the college and the town. To the former the duty of repairing the south transept, “commonly called the *Chancell of the parish*,” was assigned; to the latter, the obligation of attending, in the same manner, to the north transept was adjudged; while the expense of upholding the tower, and the emoluments to be derived from the use of its bells, were thenceforth, in pursuance of the decree, to be shared equally by both. This decision appears to have set the matter finally to rest, and, from this period, to the dissolution of the college, the repairs of the nave, aisles, and north transept, with the moiety of those of the tower, continued to be made at the sole charge of the town.^a

Monumen-
tal inscrip-
tions.

The church contains no monuments; and the inscribed grave-stones, of which many, if not most, were removed from their original places, when the church was paved, in 1817, are in a great measure concealed by the pews. There are, however, a few mural tablets, bearing the following inscriptions.

In the north transept, on a slab of black marble ornamented above with the arms of Babb—gules, a fess, and in chief two unicorns’ heads couped or,—these words are written:

Prope ab hoc sepelitur corpus Gulielmi Babb, Añi, Secundarii in Officio regii Rememoratoris Sc̃i. Qui anº. ætatis LXIII, salutis MDCXVIII, sexto die Decem., animam Deo reddidit.

On the west side of the above is a tablet of Sussex

^a Regist. Episc. C. f. 155.

marble, partly concealed by the pews. The following is all that is visible of the inscription :

Anna Birstii, nata xv^o. die Octobr. A^o. Dni 1589. Tandem, die primo Octob. A^o. Dni 1611, pie et innupta obiit.

On a slab affixed to the north wall, under the figure of a female resting on an urn, this inscription is seen :

In a vault near this spot are deposited the remains of Charles Bushby, Esq., who departed, June the 5th, 1794 : Also of Margaret, wife of Charles Bushby, and daughter of the Reverend Christopher Tillier, vicar of Goring, who died, August the 26th, 1759 : Also of Margaret, the second wife of Charles Bushby, and daughter of Younge Willes, Esq., of Goring, who died, December the 10th, 1791. Likewise their three sons, and one daughter, namely, Charles, died February the 18th, 1782, Mary, died July the 11th, 1801, Robert, died April the 19th, 1807, John, died May the 14th, 1808. Also the remains of Elizabeth Bushby, daughter of Charles and Margaret Bushby, who died 28th July, 1827.

Over the north door is an oval slab of blue marble, with this epitaph :

In memory of John Tompkins, Gent., a man of the most exemplary integrity, who departed this life, the ixth day of November, MDCCLXXXII., aged LXXVII years ; and of Elizabeth, his wife, a constant friend to the distressed, who departed this life, the ivth day of April, MDCCLXXXIX. aged LXXXVII years.

Adjoining to the above is another oval slab thus inscribed :

To the memory of John Tompkins, Gent., who departed this life, on the 15th of December, 1797, in the 53d year of his age. " He " was a man of exemplary life, and, in all the relative duties, exceeded " by none." Also of Jane, his relict, daughter of Richard Newland, (formerly an eminent surgeon of the city of Chichester) and Elizabeth, his wife, who departed this life, the 4th of June, 1827, aged 77 years.

Against the west wall, at the left of the entrance, is a marble tablet, with this inscription :

Sacred to the memory of Elizabeth, daughter of John and Elizabeth Tompkins, who was born, 11 May, MDCCXLIV., and died, xxviii December, MDCCCXXII.

Against the west wall, at the right of the entrance, a black oval stone is thus inscribed :—

Sacred to the memory of Edward Carleton, Esq., (many years, an active and conciliating magistrate of this county, and Major-commandant of the Arundel Volunteer Battalion), who died, universally regretted, March 10th, A. D. 1813, in the 63d year of his age.

At the side of the foregoing, is a corresponding slab, on which the following lines are written :—

This marble commemorates Jane, the wife of Edward Carleton, Esquire, and only daughter of Thomas Birch, Esquire, who died, on the 14th day of February, 1800, suddenly, but not unprepared. Her example is not unworthy of record in the house of God, where her attendance was constant ; in whose service she was zealous, and sincere in every relation of life.

To the south of the preceding, but against the same wall, is another tablet of black marble, with the following names and dates :—

In a vault near this place are interred the remains of John Holmes, Gent. ob. Dec. 24, 1810, aged 64 : Elizabeth, his wife, ob. April 15, 1817, aged 68 : and of their children, John Woodland Holmes, ob. Dec. 2, 1786, aged 16 : Jane Holmes, ob. March 6, 1791, an infant : Elizabeth Holmes, ob. Sep. 23, 1796, aged 25 : James Holmes, ob. Octob. 11, 1809, aged 27 : Edward Holmes, ob. Octob. 28, 1817, at the camp of Damar, in India, aged 29.

Over the south entrance, is a tablet, of grey and white marble. In the upper part, is a medallion, containing a profile likeness of the deceased ; the caduceus, as the emblem of his profession, and a weeping child leaning over the medallion. Below, the following inscription is written :—

I. H. S. Charles Lane, Esq., Surgeon, died, July 17, 1827, aged 57. This tablet is erected to his memory by those who experienced the benefit of his medical skill, the warmth of his friendship, and the benevolence of his disposition. R. I. P.

Adjoining to the above, is a plain marble slab, thus inscribed :—

Hic jacet Susanna, Caroli Lane, Chirurgi, uxor. Die xv^o. mensis Septembris, A. D. MDCCCXXI. obiit. Mitis, patiens, humilis.

Against the south wall, and at the east end of the south aisle, a plain tablet of white marble bears the following inscription :—

Sacred to the memory of the Hon^{ble} Mrs. Maria Howard, who died, January the 29th, 1826, in the 80th year of her age.

In the transept, at the south end of the communion-table, is a slab of white marble, on which is written :—

To the memory of Lady Caroline Sidney Kerr, daughter of William John, fifth Marquis of Lothian. She died, January 24th, 1829, aged 61 years.

At the north end of the communion table, nearly opposite the former, is another tablet, thus inscribed :—

M. S. L. D. P. Non. Dec. MDCCCXXIII.

Innocens et perbeatus, more florum, decidi.

Quid, viator, fles sepultum ?—flente sum felicior.

“Suffer the little children to come to me, and forbid them not ; for of such is the kingdom of God.”

The register commences in 1560. In 1645, the following entry occurs. “From the 7th Dec. 1643, to the 25th March, 1644, viz. but not the just dayes be here set downe, the towne being plundered by the cavelers, and all things out of order, as nere as I can ges, they that died I here insert, and am suar I set them downe in order, thofe to some is no the day of the month.” After the burials, thus inserted, is this,—“John Bur-

bank, caveler, knock-rufin to the cavelers in the cassell, buried 17th Oct. 1644, who was one of them y^t plundered the towne."

Benefice.

The benefice is a vicarage, in the archdeaconry of Chichester, and deanery of Arundel, of which latter it is the chief. In the taxation of pope Nicholas (A^o. 1291), it is assessed at £5. 6s. 8d.: in the nonæ return, it is valued only at £1. 13s. 4d.: but, in the king's book, it is estimated at £5. 10s. 0d.

Its endowment.

Of the terriers that still exist, the earliest is contained in the ordinance of bishop Ralph, already referred to; and must, at least, be as old as the commencement of the thirteenth century.^a From that document it appears, that, in addition to the contest between the priory and the Earl, as to the right of patronage and the possession of the advowson, the bishop was called on to decide another dispute between the vicar and the monks, relative to the tithes belonging to the former, and the inadequacy of the existing endowment to the maintenance of the pastor. Of the precise points in the controversy we have no information. The appeal, however, made to the bishop's authority, gave him an opportunity of examining into the original constitution of the vicarage: and he availed himself of it, to effect the double purpose, of defining the respective rights and obligations of the parties, and of placing the vicarial property on a more independent footing. Against the award, which he pronounced, we hear of no reclamation. After deciding the controversy between the priory and the Earl, and granting the appropriation of the rectory to the former, he thus proceeds to "ordain the perpetual vicarage in the church aforesaid:"

^a MS. in possession of the vicar.

“ The vicar w^{ch} now is in the church of Arundell aforsaid and his succ^{ors}, vicars, there hereafter to be made, may fully and wholly p^rceive and take all obla^cions in the same church, from daie to daie to be made, w^{ch} doe not exceed seven-pence halfpeny, three daies excepted, viz. the Nativitie of o^r Lord, the Purifica^con of our Lady, and Easter; in w^{ch} daies, they may yearly p^rceive and take, of the offerings of the said chirch, in the name of a stipend of a secundarie preist, twoo marks of silver; all the residewe of the obla^cions (the lights for the necessarie uses for the prior and monks excepted) they shall faithfully bestowe and lay upp. Also the vicar of Arundell, for the tyme being, shall p^rceive and take all small tithes of the same p^rish, viz., of milk, wool, lambs, calves, gees, piggs, herbage, pasture, herbes, gardens, bees, doves and of croftes, or small landes, w^{ch} in the same p^rish shalbe digged wth feete or manuall instrum^{ts}, by the hands only of men and women there, [or] as shalbe tilled in messuages or in gardens, in steed and place of curtilages. And the third p^t of all tithes of hay, whersoever the said prior, or monks, as p^rsons of the said church of Arundell, the tythe of hay doe p^rceive and take, or challengeth to p^rceive and take Also the vicar of Arundel shall have, p^rceive, and take all other small obven^cions of the same p^rish, to the same church due by the right of the p^rish, and hitherto accustomed. And, because wee see the por^cions, to the same vicaridg belonging, as aforsaid, of old tyme assigned to the vicar of the same place, to his charges to bee borne not to suffice, wee doe assigne to the said vicar, and to the same vicaridg, for ever, in augmenting of the same, all great tithes comeing of certen lands in the p^rish of Arundell aforsaid, (here follows a description of the situation of these lands). Also the said vicar for the tyme being shall mainteyne and susteine, at his chardges, one secundarie preist, a meete fellowe in song and readinge, serving in the said church, and for the ayd and help of the same vicar, in the same p^rish; and shall prepare holy bread, att easter, at his owne cost, to bee distributed to his p^rishioners: and if, p^rchance, the said vicar should want a fellowe, by a yeare, he shall give to us, and o^r successors, or to the founder of the church of Chichester, for an alms, xxs. sterlinge; and to the monks, on this side the ffeast of St. Thomas, the Apostle, half a mark of silver, helping them in songe and celebrating of masses

only, by whom wee will not have any other thinge to be done, that belongeth to the cure of soules, except in the *imaculate* (immediate?) veiwe of death. Ffurthemore, the said religious, prior, and monks, for the tyme being, shall finde, throughout the yeare, wyne and bread, to celebrate in the said church, and franckincense for incense: and the chauncell of the said church, at their costes, shall cause to be repaired, as often as need shall require; and, if all fall or decay, shall cause newly to bee builded. And the same religious shall finde, in the same church, books and ornaments agreeable, as often as it shalbe needfull; but the vicar, at his p̃ill, shall honestlie keepe the same under his trusty and faithfull custody, except a chance cometh, wherein the vicar is not to be blamed. And the said vicar, at his costs, shall doe the small rep̃ãc̃ons of the same books, and ornaments, viz., in binding and covering of the books, and sowing of vestments broken, and washing the same. The said vicar and p̃ishioners, all sondaies, and ffestivall daies, throughout the year, notwithstanding any inclosure aboute the church of Arundell, made, or to be made, may have free egress for p̃cession to be made. Wee do decree, that the morninge office and masse, before the third hower of the daie, commendac̃on of sowles, Placebo, Dirgis, and completorie, before the sunnesett of the daie, shalbe daily celebrated in the said church, by the said vicar, or his fellowe. Also we command the chancell dore of the quire of the said monkes, from the end of the great masse, unto the first hower of the day following, to be shutt by their sacrist; and the outward dores of the church to be shutt by the said vicar, or by his beneficed clerk sworne, soe that the wandring monks goe not out, at their pleasure, to behold the vanities of this world. And y^t the ringing be at such howers as of right they ought to ring, according to their rule. Also, that the vicar, and his fellowe, and clerk beneficed, when they shalbe required, shall help the said monks, every double ffeast celebrated according to their rule, at the first and second eveninge praier, and at the great masse, and, the same day, shall dyne wth them, unles they may lawfully bee excused. Also the said religious shall finde strawe, twice in a yeare, to the said church, and the vicar once. And because wee understand the p̃ishioners of Arundell many tymes to be greived wth fenceing of the church-yard, and amending of the bells, sometye when they are broken, wee doe decree, that the chauncell of St.

Catherine's, St. Leonard's, and St. Giles's to be covered, at the costes of the said religious, as often as it needeth. And the said vicar shall beare and allowe all ordinarie chardges of the same vicaridge, as to the rights belonging to the bp. and archdeacon. Also the said religious shall fully allow and beare the ordinarie and extraordinarie chardges of the said church of Arundell, by any way or meanes touching or conc̃ning the rectorie or p̃sonage; and shall make obedience to the ordinaries, for the said church. Also the prior, or monks for the tyme being (the priory being voyd), to us and o^r successors, or els (the see of Chichester being voyd) to whom p̃sentãcons of benefices ought to be made, shall p̃sent a meete p̃son to the same vicaridge when the same shall happen to be voyd." He then concludes, by annulling all former decisions on the subject: he calls on the monks to yield an instant submission to the present decree; and declares, that, if, "by pretence or colour sought of any liberty, or exemption," they shall attempt to contravene it, "they, as to the said vicarage of Arundel, from thenceforth, as from henceforth, for ever, shall be deprived, except that, upon those things, they amend, within a month after once warning made unto them," by himself or his successors.

This ordinance established the property and independence of the vicarage. To the former, indeed, the piety of individuals continued to make some occasional additions: but these were comparatively of small amount, and have, in a great measure, either through accident, or neglect, been long since withdrawn. The following terrier, which is preserved in one of the episcopal registers, will exhibit the state of the vicarial possessions, in 1663.

"A true and perfect terrier of all the glebe lands, meadows, gardens, orchards, houses, stocks, implements, and tenem^{ts}, belonging to the vicarage of the boro of Arundell, in the county of Sussex, made and exhibited, the one and twentieth day of May, annoque Domini 1663, by the vicar, churchwardens, and other inhabitants, in the metropolitica^l visitãcon of the most Rev^d Father, William, by God's providence archbishop of Canterbury.

Imprimis. There is belonging to our vicarage a house, a barn, a gate,^a one orchard, and garden, cont^s half an acre of ground, or thereabouts, adjoining to the house; the ten^t or dwell^s house of Thomas King bound^s on the east side of it; the ten^t or dwell^s house of Henry Sheppard bounding on the so. end of it; and the king's highway, called Whiting's Dike, on the north and west side of it.

Item, there is belonging to the vicarage the tithe of these p'cells of land hereafter named:

First, the tithe of one close of arable land, called Cope's close, cont^s three acres.

Item, one close next Whiting's Dike, cont^s six acres.

Item, one field, called Mary's field, contain^s eleven acres.

Item, one croft, called the three-cornered croft, adjoining to the Mary-field, cont^s three acres.

Item, one little close, adjoining to Postern Lane, contain^s two acres.

Item, one field, lying before Tupper's door, cont^s five acres.

Item, a close, called Sewel's Deane, cont^s one acre and a half.

Item, a close, called Bottom acre, cont^s three acres.

Item, a field, next beyond Postern Lane, cont^s five acres.

Item, a close, joining to Humphrey's barn, cont^s half an acre.

Item, a close, joining Sheppard's barn, cont^s one acre.

Item, a close next to that, cont^s six acres.

Item, a field next Pew-Dean Lane, cont^s six acres.

Item, in the common lime-field, adjoining to the parsonage land, two acres.

Item, a field next to the lime-field, cont^s four acres.

Item, a field called lime-field, adjoining to the little park pale, cont^s ten acres.

Item, a close, called Barret Hill, cont^s one acre.

Item, the tithe of ten small meadows, adjoining to the king's highway, leading to the water-mill of Arundel.

Item, the tithe of all the garden-plots within the boro of Arundel.

Item, there belongeth to the vicarage the third part of all the tithe hay, belonging to the parsonage of Arundel.

^a "Gate," or "Gates," is a provincial term, signifying a "farm-yard."

Item, the tithe of one garden-plot, lying in a field of Alice Diggens, widow, adjoining to the Marsh Gate.

Item, the tithe of one garden plot, in a meadow late of Hen. Mitchellborne, Gent. deceased.

Item, the tithe of one meadow next to Arundell bridge, now in y^e occupa^on of Will. Pellett, one acre.

Item, the tithe of two garden-plots, adjoining to the king's highway, called King's Lane.

Item, the tithe of all y^e slippes about y^e 'burgess' brooks,' whether they be set with oziers, or reeds.

Item, the tithe of all land within the s^d boro, that is eaten, called herbage, after the rate of 8d. in the noble.

Item, our minister hath the keeping of six kine in the brooks, called the "Burgess' Brooks," every year.

Item, there is a certain duty due to our minister out of a farm call'd Cudlow farm, lying by the sea-side, near Atherington, in Sussex: the certainty what it is we do not know, but our minister, that now is, hath, by composition of the farmer that now useth the s^d farm, the sum and quantity of twelve bushels of wheat, and fourteen bushels of barley, every year: first oblations 7½d., each Xmas, Purification, and Easter excepted.

Secondly, all small tithes, wool, pigs, milk, lambs, calves, geese, &c.; herbage, garden-herbs, apples, bees, and pigeons.

Thirdly, a third part of hay, and all the lands to pay as in this terrier mentioned for great tithes.

Fourthly, Obventions.

Fifthly, Holy Breads, that was left 300 years since (1308), in the presence of the prior of Arundel, at the cathedral church. It was brought into the cathedral, by the hand of Berengarius, the son of Bernardus, a Lombard of St. Jermyn, a public notary of the empire.

"In witness whereof, we have hereunto set our hands and seals, the day and year first above written.

(Signed)

Examined by us,

"Rob. Roill."

"Jno. Bridger."

"Rob. Altringham."

"James Goble."

"Anthony Greene."

"England Hall."

In the endowment of the vicarage, as thus described, the principal alteration, which the lapse of nearly two centuries has produced, has arisen from the destruction of Cudlow farm, and from a neglect, on the part of the vicars, in asserting their right of pasturage in "the burgesses' brooks." By the former, which has been effected by the successive encroachments of the sea, that portion of the vicarial tithes has been entirely withdrawn: by the latter, a lucrative property has been diverted from its original purpose, and the corporation of the town has been suffered to convert the whole of these extensive pasture grounds to its own use.^a Of the "holy breads" mentioned in the terrier no recent trace has been discovered. They were, probably, not unlike the "panes canonicorum," which formed a part of the ancient endowment of the prebends in the cathedral;^b but, at what period, or under what circumstances,

^a It has been contended by some members of the corporation, though without any evidence of the fact, that a commutation has in reality been effected, and that, instead of the right of pasturage, the vicar now receives a tithe from these lands. The answer to this statement is clear. From the terrier printed in the text, it is evident, that the right of tithe, from *all* pasture-land within the borough, was co-ordinate and co-existent with that of pasturage in the "burgesses' brooks." The amount of tithe was "after the rate of 8*d.* in the noble," or exactly *one tenth* on the value of the land: and the whole sum now received by the vicar, *including his share of the rectorial tithe of hay*, is three shillings and six pence per acre, for land worth not less than £4.

^b The statute, "de panibus canonicorum," is in bishop Rede's MS. penes Decan. et Cap. Cicest. fol. 183^b. An account of them may also be seen in Dallaway's Rape of Chichester, part 1, p. 98, and part 2, p. 168, note b.

they ceased to be received, I have been unable to ascertain. The “panes canonicorum” have, during the last century, been converted into a money payment: perhaps the “holy breads” were subjected to a similar commutation, but, the amount being inconsiderable, the claim was first neglected, and afterwards forgotten, by the vicars.

The vicarage house described in the terrier no longer exists. It stood about one hundred yards to the north of the present dwelling, on a spot now enclosed within the kitchen garden of the Castle, where it remained, as late as the year 1810. At that period, Charles, Duke of Norfolk, obtained it in exchange for the house, since converted into the vicarial residence: and the old building, with its “barns, orchard, and gate,” was forthwith demolished. The new manse has been considerably enlarged by the present incumbent.

With the appropriation of the living to the priory of St. Nicholas, and with its subsequent transfer to the college of the Holy Trinity, the reader is already acquainted. At the suppression of the latter, it passed, with the other property of the establishment, to Henry, Earl of Arundel:^a and from him has descended to its present proprietor, the Duke of Norfolk. In the survey of Pope Nicholas, it is estimated at £8.: in the Nonæ return, at £7. 12s. 6d.: and in the king’s book, at £6. 4s. Impropriation.

Of the early presentations to the vicarage the entries in the episcopal registers supply us with a very imperfect account. The following list contains all that a diligent investigation has been able to obtain. Vicars.

^a Pat. 36 Hen. 8. p. 21. m. 49.

1324. Brother Robert, a member of the Priory : he is mentioned in the Fine roll, 18 Edw. 2. m. 12. Presented by the prior of Arundel.

* * * *

1404. William Rotowr. There is no entry of his presentation ; but his death, in 1405, is spoken of in Regist. Episc. R. f. 107^b. Presented by the college of the Holy Trinity.

1405. Robert Adenet, presented by the college, April 18, 1405 ; obiit, 1413. Regist. R. f. 107^b, 151.

1413. John Eccles, presented by the same, March 19, 1413. Regist. R. f. 151.

* * * *

1500. John Maksey. His presentation is not entered ; but his death, in 1501, is mentioned in Regist. A. f. 35. Presented by the same.

1501. Richard Tydar, presented by the same, March 4, 1501. Regist. A. f. 35.

1508. Robert Farnedale. No entry of his presentation ; but his resignation, in 1509, is recorded, Regist. C. f. 3. Presented by the same.

1509. William Coope, presented by the same, Dec. 20, 1509 : resigned in 1510. Regist. C. f. 3, 5.

1510. Thomas Combes, presented by the same, Nov. 13, 1510 : ob. 1528. Regist. C. f. 5 : and A. f. 55.

1528. John Baty, presented by the same, Dec. 9, 1528. Regist. A. f. 55.

1545. Thomas Ellis. No presentation recorded : but his resignation, Nov. 12, 1545, is mentioned in Regist. B. f. 17, 23^b. He is called both Thomas and William.

1546. Thomas Hall, presented by the Earl of Arundel, Sept. 26, 1546 ; and, at his institution, sworn " ad sancta Dei evangelia, de Romani episcopi supremitate agnoscendâ." Regist. B. f. 23^b.

1569. Jerome Philips. His presentation is not entered : but his death is recorded to have happened, at the end of 1569, or beginning of 1570. Regist. F. f. 33.

1570. Thomas Lewes, collated, July 11, 1570, by lapse : ob. 1591. Regist. F. f. 33, 50.

1591. John Walwyn, A. M., presented, July 22, 1591, to the

vicarage of Arundel, "cum rectoria de Cudlow," by Thomas, Lord Buckhurst. Resigned, the same year. Regist. F. f. 50, 51.

1591. Humphry Booth, A. M., presented, Dec. 29, 1591, to the same, by the same. He held it till 1595, when the living became "lawfully vacant;" but whether by his death, resignation, or deprivation, is not said. Regist. F. f. 51, 56.

1595. William Carus, presented, Oct. 6, 1595, by the queen, to Arundel only: ob. 1620. Regist. F. f. 56: and H. f. 70.

1620. Thomas Heyney, A. M., presented, June 12, 1620, by John Wilson (Regist. H. f. 70.). He was alive in 1635, and is mentioned in a terrier of that year. MS. in possession of the vicar.

1656. Francis Cuffley. He died in 1656, when a relief is charged on the vicarage house, as due to the Lord, on his demise. MS. at Arund. Castle.

1673. Robert Read. His presentation is not entered. He resigned, in 1674. Regist. H & G. f. 94.

1674. John Tutte, LL. B., presented, April 6, 1674, by the guardians of Thomas, Duke of Norfolk (Regist. H & G. f. 94): ob. 1691. Regist. of bishop Robert Grove, f. 2. Lib. I.

1691. John Jaumard, A. M., presented Aug. 19, 1691, by Henry, Duke of Norfolk (Regist. of bish. Rob. Grove, f. 2. Lib. I.): obiit April, 1701. Parish Register.

1701. Philip Thorne, A. M., presented, Nov. 6, 1701, by Thomas, Duke of Norfolk (Regist. of bish. Williams, f. 15. Lib. I.): ob. Oct. 11, 1715. Parish Regist.

1716. Henry Hughes, A. M., presented, Jan. 5, 1716, by John Anstis, Garter King at Arms (Regist. of bish. Williams, *ibid.* f. 49.): ob. March, 1720. Parish Register.

1720. Hugh Evans, presented, Sep. 21, 1720, by the same (Regist. of bish. Williams, *ibid.* fol. 56.): ob. Oct. 1732. Parish Regist.

1732. John Carr, A. B., was licensed to act as curate, in the vicarage church of Arundel, March 12, 1731: subscribed to the articles, on his admission as vicar, Nov. 8, 1732, (Book of Subscriptions to Articles, f. 87, 101.): ob. Dec. 4, 1779. Parish Regist.

1780. William Groome, LL. B., presented by the Duke of Norfolk: resigned between August and October, 1811. Diary of the Rev. W. Groome.

1811. William Monsay, presented by the same: inducted October 10, 1811. (Diary of Rev. W. Groome): resigned in April, 1828.

1828. Henry James Parsons, the present vicar, presented by the same, April 22, 1828.

Doles.

The following benefactors to the poor of Arundel deserve to be mentioned in this place.^a

Robert Young, about the year 1560, assigned an annual sum of ten shillings, to be distributed, in bread, among the poor, on Ash-Wednesday, for ever.

Philip Withier, formerly mayor of Arundel, about the same period, bequeathed a similar sum, to be distributed in the same manner, on Good-Friday.

The widow of Philip Withier bequeathed a similar sum, for the same purpose, to be distributed annually, on the eve of Christmas-day. The three days specified in these donations are still observed. The money is charged on three houses in the town.

Belle Ryce, widow, bequeathed the sum of five pounds to the church-wardens, and their successors, for the time being, requiring them to give ten shillings' worth of bread to the poor, on Whitsun-eve, annually, for ever.

Thomas Greenfield left six pounds five shillings to the church-wardens and overseers, for the time being, the interest to be given to the poor, on the last day of February, in each year, one half in money, and the other half in bread.—Of this and the preceding bequest nothing is now known.

William Bradford, formerly a servant in the family of Philip, Earl of Arundel, gave twenty pounds to the use of the poor, in consideration of which sum, John Bertie, by a deed, dated July 30, 1613, assigned to the mayor and corporation an annual rent of thirty shillings, from his lands in Arundel, to be distributed by them, in half-yearly portions of money and bread, on the fourth of April, and the fourth of October, for ever. It is now distributed on the twenty-sixth day of January and June respectively.

^a From tables in the possession of the late church-warden.

John Woolven, by his will, dated August 17, 1615, bequeathed to the mayor, church-wardens, and overseers, for the time being, a rent-charge of ten shillings annually, for ever, on his premises near the quay, to be distributed among the poor, on the twenty-seventh of December, in each year. It is now distributed on the sixteenth of February.

John Alberty, by his will, dated September 10, 1654, bequeathed to the mayor, church-wardens, and overseers, the sum of ten pounds, for the purchase of a yearly income, to be distributed, in equal parts of money and bread, among the poor, on the twenty-eighth day of February, for ever.—Of this bequest nothing is now known.

Richard Voakes, who died August 30, 1705, bequeathed to the church-wardens, and overseers, the sum of ten pounds, the interest thereof to be given to the poor, on Easter-Monday, annually for ever. Ten shillings from this fund are distributed on the appointed day.

Thomas Ballard bequeathed to the mayor and corporation, for a similar purpose, property situate in the parish of Heen, which now produces an annual rent of twenty-five shillings.—Distributed on the twenty-eighth of December, instead of the twenty-fourth of April, in each year.

———— bequeathed a rent-charge, of thirteen shillings per annum, on a house near the north-western extremity of the town.—Distributed on the twenty-eighth of December.

In addition to the above, I may mention, that there is, in the possession of Mr. William Holmes, of Brookfield, or in that of the corporation, a deed, from which it appears that a house, called 'Booker's,' was formerly—I think, about the beginning of the last century—assigned, in trust, to the mayor and corporation, for the time being, and that the whole annual rent, or produce of the property, was to be by them distributed, as a dole, among the poor.—No money is now paid from this fund.



Remains of Maison Dieu.

Maison
Dieu.

To the same munificent piety, which rebuilt the church, and founded the college, Arundel was indebted for another institution, of equal splendour, and not less meritorious character. It was known indifferently by the appellation of the "Alms-house," of the "Maison Dieu," and of the "Hospital of the Holy Trinity." Like the college, it had been originally designed by Richard, Earl of Arundel, who died in 1376, but, like that establishment, it had also been deferred, till the death of its projector intervened, and consigned the fulfilment of his intentions to the care of his successor.^a By the latter, the trust was religiously performed. As soon as the completion of the collegiate buildings permitted him to withdraw his attention to other objects,

Its Foun-
dation.

^a Introduction to the Statutes, Regist. Episc. D. f. 158^b.

his solicitude was directed to the execution of this part of his father's desires; and, in March, 1395, he obtained a patent, allowing him to assign four messuages and two tofts, in Arundel, to the master and fellows of the college of the Holy Trinity, to be held by them, in trust, for the immediate erection of an edifice which should be appropriated as an alms-house for a certain number of aged and infirm poor.^a The site of these messuages was on the right bank of the river, near the foot of the present bridge. Here, as soon as the ground could be prepared, the foundations of the new hospital were laid, and the rapidity, with which the works advanced, soon enabled the founder to anticipate the accomplishment of his undertaking. By the end of the year 1396, the building was finished. Like the college, it formed a quadrangle, whereof part was occupied by a chapel, and part by the refectory and its offices: the remainder contained the various chambers of the inmates. Round the court-yard there appears to have been a cloister: and the traces of a gateway, at the south-west corner, are yet visible.

The statutes of the hospital are still existing. They were drawn up by the founder himself, after the completion of the edifice; and, of course, therefore, only a short time previous to his own tragical death.^b They

Statutes.

^a Pat. 18 Ric. 2. p. 2. m. 17. It is dated March 17, 1395.

^b "Postquam prædictam domum hospitem, ad præsens Hospitale S. Trinitatis Arundel nuncupatam, secundum ultimam voluntatem dicti patris nostri, construximus et ereximus, nonnullas honestas et rationabiles ordinationes, circa modum vivendi in domo præfatâ, fecimus." Introduction to the statutes. This clearly fixes the completion of the building to a period, at least as early as that specified in the

relate to the quality and admission of candidates; regulate the number, appointment, and duties of the various officers; prescribe rules for the general conduct of the inmates; and determine such points of domestic economy, as were essential to the nature of the foundation. The establishment was to consist of twenty poor men, either unmarried, or widowers, who, from age, sickness, or infirmity, were unable to provide for their own sustenance. They were to be selected from amongst the most deserving of the surrounding neighbourhood, giving the preference only to the servants, or tenants, of the founder and his heirs; they were to be men of moral lives and edifying conversation, and were required, as a qualification for their admission, to know the "Pater-noster," the "Ave-maria," and the "Credo," in latin.^a Over these persons, a priest, under the title of 'Master,' was to preside. He was to be chosen by the founder, or his heirs, from amongst the most virtuous, and prudent members of the college, or, if that establishment should fail to supply a person, whose morals and abilities qualified him for the office, from those of the secular clergy, whose piety and discretion rendered them fit depositaries of the important trust. He was to act in the double capacity of superior and chaplain. He was to reside constantly within the walls of the hospital, to superintend the conduct, and promote the comfort, of the commu-

text. Richard, Earl of Arundel, the founder, was beheaded on the twenty-first of September, 1397: he had been imprisoned from the commencement of the preceding July: and the statutes, therefore, which are without date, could scarcely have been drawn up later than the spring of that year.

^a Statutes, ut sup. Introd. and Chap. 1.

nity, to defend its interests, to watch over its possessions, and to shew himself the faithful and affectionate guardian of those committed to his care.^a By him also, and the majority of the existing brethren, the admission of every candidate was to be determined:^b he was to receive the oath, by which each member was to bind himself, on his entrance, to the strict observance of the statutes;^c and he was to enforce, either by admonition, correction, or expulsion, a constant obedience to the rules of the institution.^d To assist him in the performance of these duties, another officer, under the name of Prior, was to be elected, by the community, from their own body. To this person was assigned the immediate superintendence of the brethren, during their hours of recreation. He was to see that all were duly assembled, at the appointed times, in the chapel, the refectory, and the dormitory: he was to watch over the propriety, and harmony of their conversation; and none were ever to be allowed to absent themselves from the hospital, without the special permission either of him, or of his delegate.^e Besides the master and prior, a steward, for the management of the possessions belonging to the foundation, was to be appointed. At the close of each year, that officer, in conjunction with the master, was expected to produce a written statement, detailing the condition of the property. Auditors, selected from the community, were directed to receive and examine the account: and an annual inventory of the goods and chattels of the hospital was ordered to be appended to the report, and deposited, by them, with the common

^a Cap. xi.^b Cap. i.^c Cap. xvii.^d *Ib.* passim.^e Cap. iii. vi. vii.

seal, amongst the muniments of the establishment.^a The menial duties of the house were entrusted to four servants. Of these, one was required to be a clerk, and to be specially attached to the service of the master: the others were to be chosen, for their docility and mildness, and employed in constant attendance on the community.^b

The regulations, for the employment and conduct of the inmates, were simple and judicious. In summer, five, and, in winter, six o'clock was the hour of rising. Before they quitted the dormitory, they were commanded to unite in prayer, to pour forth their gratitude for the protection they had received, and to implore the blessings of heaven on the church, their country, and their benefactors. To this affecting duty the celebration of mass would, of course, succeed, at which all, whose health or infirmities permitted them, would necessarily attend. The occupations of the morning then followed. Let them, said the founder, avoid scandal, and tale-bearing; let them shun animosities, contentions, and jealousies; and, above all, let them guard against idleness, the parent and fomentor of every other disorder. To each member of the community, according to his strength, or abilities, let some useful employment be allotted. To some let the care of the garden be assigned, to others the task of weeding the church-yard walks, or of attending to the wardrobe of the hospital. Let the more robust be taught to minister to the necessities of the helpless; and if, from age, or blindness, or other calamities, any portion of the brethren shall be disqualified for these active duties, let them at least learn to

^a Cap. xiii. xiv. xv.

^b Cap. x.

entertain their minds with prayer and meditation, to withdraw their affections from those objects from which time, or accident, or disease, shall have begun to separate them, and to prepare themselves for that important change, of which their present misfortunes are intended to remind them.^a About noon, they were again to be summoned to prayer; those, whose strength was equal to the exertion, in the collegiate chapel; the more infirm, in the dormitory of the hospital. To this, dinner succeeded; after which, the business or recreation of the afternoon again conducted them to the hour of prayer, and the subsequent refreshment of the evening meal. At six o'clock, in winter, and, in summer, half an hour later, the bell proclaimed the hour of rest. At its sound, all were required to assemble in the dormitory: the same exercise of thanksgiving and supplication, which had sanctified the morning, was again repeated; and the whole community, with the exception of the master and the prior, immediately retired for the night.^b

The dress of the brethren was a brown woollen garment, long and loose, like that of a monk, with a hood of coarse stuff, "thick and warm." This, with a pair of shoes and a pair of socks, was to be annually delivered to each member of the hospital, at Christmas. At Easter, a similar distribution of linen was to be made: and other articles were to be provided, as necessity might require.^c

In sickness, the inmates were to be attended by their brethren, and nursed, at the expense of the establishment: in the single instance of leprosy, was the patient to be withdrawn from the care of the community, and

^a Cap. iv. v. vii. xviii.

^b Cap. vii.

^c Cap. ix.

consigned to the charity of other hands. In that case, he was to be removed instantly from the precincts of the hospital: during the continuance of the disease, he was to receive only the usual allowance, of a penny a day, for his maintenance; and if he recovered sufficiently, to admit of his return, was to be considered, ever after, as “the last and least of the brethren of the house.”^a

Such was the establishment, and such the code for its regulation, which Richard, Earl of Arundel, bequeathed, as a last testament, to the poor. In the course of a few short months from its completion, that nobleman had perished on the scaffold: but the memory of his charity still endeared him to the world; and, in considering, therefore, such an institution as the hospital of the Holy Trinity, it is scarcely surprising, if some enthusiasts were found, who could place this by the side of the acknowledged injustice of his execution, and look for some miraculous manifestation of his sanctity from the grave!^b By the reforming intelligence of a later age, indeed, the credulity of this notion would have been unsparingly ridiculed. The persons, who had complacently, or calmly witnessed the dissolution of the monasteries, the wreck of the colleges, and the spoliation of every charitable institution, would feel little sympathy with the artless, and, perhaps, superstitious, gratitude of a less sophisticated generation: yet, it may, perchance, be questioned, whether society was likely to improve by the change that had been effected; and whether the simplicity of those, who could believe that the charity of the Earl of Arundel had found especial favour with heaven, was not more admirable than the

^a Cap. xvi.

^b See page 264 of this history.

recklessness or the apathy of the age, which could see the poor, and the old, and the infirm, sent adrift from the home which benevolence had consecrated to their use, and bestow the patrimony of the indigent, whom it had plundered, in ministering to the insatiate passions of an avaricious and profligate tyrant!

The earliest of the hospital accounts, which remains, is for the year beginning at Michaelmas, 1407. At that period, the property was confined to Sullington, Heen, Lychepole, a place called "Feld and Knell," and a tenement, with an adjoining croft, in Arundel: and the gross amount of revenue, derived from these possessions, was £50. 11s. 0 $\frac{1}{2}$ d. The number of inmates had then reached only to fifteen, besides the master; and it is not improbable, therefore, that the premature death of the founder had arrested the progress of his benevolent designs, and left the foundation incomplete in some of its essential parts. But the piety of the son was careful to fulfil what the father had been unable to perform. By his will, dated October 10, 1415, Thomas, Earl of Arundel, directed all the lands, then in the possession of Robert Pobellowe and Thomas Harling, to be amortised for the benefit of the hospital.^a By this means, property in Birdham, Treford, Northwood, Eartham, Ilesham, Tortington, Warningcamp, Kingston near Lewes, and a place called Bartholomews, was added to its former possessions; and, by the year 1437, the annual income of the establishment had encreased to the sum of £101. 13s. 10 $\frac{1}{4}$ d.^b On the thirty-first of January, 1484, John Chambers, then master, did homage to the bishop for one hundred and twenty acres of land,

Endow-
ment.

^a Dugd. Bar. I. 320.

^b Account roll, 16 Hen. 6. at Norf. H.

“ formerly belonging to Richard, Earl of Arundel.”^a The value of the property, however, if this were really a new endowment, failed to correspond with its increasing extent. In 1535, the rental for the year amounted only to £89. 5s. 2 $\frac{3}{4}$ d. : and, though a slight augmentation was subsequently effected, yet the income never seems to have attained its former amount. In 1544, the year before its suppression, the gross revenue of the house was £93. 18s. 6 $\frac{3}{4}$ d. : its expenses, including rent of land, taxes, salaries of officers, and extras of every description, were £84. 10s. 8d.^b

Remains.

At the dissolution, the hospital was granted, with all its lands, to Henry, Earl of Arundel: the buildings were, as usual, dismantled; and the whole was left to moulder beneath the ravages of the elements. In 1643, it was already a ruin, and seems to have been the place described as “ an old chapel,” from the “ ruins” of which the musqueteers of Waller’s army were enabled to perform such terrible execution on the garrison of the Castle.^c From that period, till the latter end of the last century, it suffered no other injury than such as time and accident were calculated to inflict: but, in 1724, the erection of the present bridge over the Arun suggested the idea of converting the remains to some serviceable purpose; and a considerable portion of the old walls was pulled down, to supply materials for the modern structure. The western side of the quadrangle, however, in a great measure escaped. It contains two long apartments, on two separate stories, which formerly

^a Liber B. vol. 18. fol. 108^b. inter Regist. Episc. Cicest.

^b Account roll, 35 Hen. 8. at Norf. H.

^c See page 65 of this history.

communicated, through an immense arch still existing at the northern extremity, with some other part of the building. These rooms, with the whole of what remains on this side, are now used as a malt-house.

As the appointment of the master was exclusively in the hands of the patron, the episcopal registers afford little assistance, in framing a list of the persons entrusted with the superintendence of the establishment. Of course, no entries of their institution were made, and the following, therefore, are the only names which appear to have survived. Masters.

1407. Thomas Dene. He acted in the double capacity of master and steward, and his name occurs in all the account rolls, from the earliest, in 1407, to that of 1439, which records his death. He died August 26, in that year. Account roll, 18 Hen. VI. at Norf. H.

1439. Nicholas Ward succeeded Dene, October 30, 1439. Account roll, 18 Hen. VI. ut sup. His name occurs in the account rolls as late as Michaelmas, 1443 : but he must have died, or retired, before the end of the year.

1443. Robert Curteys. The account roll for the year beginning at Michaelmas, 1443, has been copied in the episcopal register, D. fol. 161. In that document, Curteys is described as master, and must, therefore, have succeeded Ward, early in that year. He was alive in 1453. Account roll, 32 Hen. VI. at Norf. H.

1482. John Chambers. The account rolls, from 1453, to 1544, are lost, and, with them, the possibility of completing the succession of masters. From an entry, however, in the episcopal register, A. fol. 21, we find, that, on the eighteenth of September, 1482, John Chambers presented, in character of master, to the church of Treford : and, from a subsequent entry, fol. 33, that a similar presentation was made by the same person, October 24, 1500.

1519. John Aslaby, S. T. P., presented, in the same manner, to the church of Treford, on the twenty-sixth of August, 1519. Regist. Episc. C. f. xvi.

1524. William Bushby, made a similar presentation on the twenty-

third of February, 1524. Regist. A. f. 48. He is mentioned in the account roll of 1544, and must have surrendered the hospital at the dissolution.

There was formerly another alms-house in Arundel, standing on the site of the four houses lately erected in front of the present custom-house. It was a brick building, and was founded, at the commencement of the seventeenth century, by George Bland, of Sundrich, in Kent: but of the nature of the establishment, or of the cause or period of its dissolution nothing is known. By some means, however, with which we are equally unacquainted, the property passed into the hands of a family named Scardefield. From them it was purchased, a few years since, by the Duke of Norfolk, when the house, having become ruinous, was taken down, and the present dwellings were substituted in its place. A stone, fixed in the old structure, informed us that it was built in 1602. The following inscription, still existing on the north wall of Sundrich church, comprises all the information that has descended to us.

“ Here lieth the body of Thomas Bland, Esq., and Mary, his last wife. He had one only son, George Bland, *the founder and master of the almshouse at Arundel, in Sussex*: which Thomas died, in February, 1617.”

Above the inscription is an escutcheon, bearing on a bend three pheons, a besant in the sinister point.^a

Domini-
can Priory.

Of the other ecclesiastical or charitable institutions at Arundel, whereof there were several, but little is known. In most instances, the very site which they occupied is forgotten, and the memory even of their

^a See Thorpe's *Registrum Roffense*, p. 967.

existence is scarcely preserved, in the few scattered notices that remain. One of the earliest, of which we have any intelligence, was the priory of Dominicans, or Friars Preachers. This house must have been established shortly after the introduction of the order into England, in 1221: for, within thirty years from that period, we hear of the convent, as a place already of some importance. Saint Richard, who died in 1253, mentions it in his will; and bequeaths to the "Friars Preachers of Arundel," his "book of Sentences, together with the sum of twenty shillings."^a During the follow-

^a Rede's MS. p. 165, where the will is inserted at length. Though not immediately connected with the present subject, I may, perhaps, be allowed, in this place, to notice a singular statement of Mr. Dallaway, in his account of St. Richard, Rape of Chichester, Part 1. p. 48. For the purpose of throwing discredit on a history, which represents the saint as having, on some occasion of extraordinary distress, "sold his plate, his furniture, and even his horse," for the benefit of the poor, that writer refers to the will above cited, and, having paraded the "*custos palfridorum meorum, et meliorem palfridum meum, and the cupæ argenteæ,*" before the reader, concludes by enquiring "how these could remain to be disposed of by will," if the foregoing account were correct? Now, the fact is, that Mr. Dallaway himself, in order apparently to strengthen his charge, has been guilty of a misrepresentation. Instead of the two words "*palfridorum meorum,*" in the plural, the will contains only the simple contraction "*palfrid,*" in the singular: so that, after all, the bishop's horsekeeper does not appear to have had a very extensive stud under his charge. That the prelate possessed a horse, perhaps two horses, and some silver cups, at the time of his decease, is certainly true; but that this should militate against the possibility of his having previously disposed of similar things, in cases of emergency, is what few persons will be able to comprehend. As to the anecdote itself, its authority is far more ancient than Mr. Dallaway seems to imagine. It is related both by Ralph Bocking, the saint's confessor, in his account of that prelate,

ing century, the house, probably, continued, like its sister institutions in other places, to flourish and encrease: yet, however the reputation of its sanctity might have attracted the youthful, and the ardent votary of religion, it is not until the year 1324, that we again meet with it in the surviving records of the time. At that period, its merits had obtained the notice of Edmund, Earl of Arundel. He saw that the building had become inadequate to the accommodation of the encreasing number of its inmates, and, to testify his regard for the religious, he procured a patent, authorizing him to grant "to the prior and brethren of the order of Friars Preachers, in Arundel, two acres of land contiguous to the monastery, for the purpose of enlarging their dwelling."^a This extension of means imparted new vigour to the establishment. In the course of a few years, its members began rapidly to multiply: the young and the zealous flocked to it from every quarter of the surrounding neighbourhood; and the ordinations of the bishops were thronged with the youthful aspirants to the priesthood, which it continued unceasingly to supply.^b The value of its possessions is not given in the king's book: by Speed, however, a sum is inserted which seemingly refers to it; and from this we may conclude, that, at the period of the dissolution, its rental amounted only to the moderate sum of £42. 3s. 8d.^c In November, and by the anonymous author of a life composed immediately after the saint's death. The latter is in Capgrave: the former, which is dedicated to Isabel, Countess of Arundel, the widow of Hugh de Albini, is published in the "Acta Sanctorum."

^a Pat 17 Ed. 2. p. 2. m. 20.

^b Regist. Episc. R. f. 104^a. E. f. 107, 108^b, 112^b, &c. D. f. 188.

^c P. 1078^b.

1540, it was granted, with its church, cemetery, and bell-tower, and with all its messuages, lands, and other property, to Edward Myllet, of Westminster, Yeoman, to whom, by the same deed, the house of Black Friars at Chichester was also assigned.^a

The site of the convent has now become a matter of conjecture. That it is at present, however, occupied by the custom-house, and the adjoining buildings on the west, with the large space of garden behind, is highly probable. An aged inhabitant of the town, named Edwards, whose death occurred only within the last three or four years, was frequently in the habit of describing that spot as a church-yard. Its yew tree he had often climbed, in his boyhood: its open space was still fresh in his recollection; and the tradition of a religious edifice having formerly stood there, was one, which, he said, in his early days, was commonly received. Nor is this story unsupported by collateral evidence. From title deeds still in existence, it is known, that, as late as the year 1708, there were no buildings on this site.^b In Hollar's engraved view of the town, taken in 1642, a small church is visible, whose situation exactly corresponds with the locality of this ground; and it is not, therefore, too violent an assumption to suppose, that the identical church and convent of the Dominican Friars may formerly have occupied the place in question.

The chapel of the Blessed Virgin over the gate, from her called Mary-Gate, is another of those religious foun- Chapel in
Mary-
Gate.

^a Pat. 32 Hen. 8.

^b Deed of conveyance from Sarah Bridger to Richard Hunt, in possession of Mr. William Holmes, of Brookfield.

dations, whose origin has long since been forgotten. It was, probably, coeval with the gate itself, which is known to have been erected at the close of the thirteenth century: but the first and only instance, wherein the chapel is mentioned, occurs in the statutes of the college, in 1387. In that document, "the chapel of Blessed Mary over the gate," is described as already existing; one of the brethren of the college is specially appointed to its service; and a daily mass is ordered to be celebrated within it.^a It is not improbable that the upper part of this gate, containing the chapel, was destroyed during the siege of 1643. At the commencement of the present century, the lower chambers on each side, with the outer walls at the east and west ends, alone remained: but the taste of the late Duke of Norfolk resolved to restore it, in its original style; and it now presents a beautiful object in the pleasure grounds of the Castle.

Chapel of
St. Mary.

The chapel of our Lady at Mary-Gate has always, from a similarity of names, been confounded with the preceding. It was situated a short distance within the gate, on a spot adjoining to the north-west corner of the church-yard, and was founded by the injunctions of Thomas, Earl of Arundel, who, in his will, dated October 10, 1415, ordered his executors to "cause a certain chapel to be built at the gate, called Mary-Gate, in Arundel, in honour of the Blessed Virgin."^b Of its endowment no account has been transmitted to us; nor have we any knowledge either of the duties to be performed in it, or of the persons to whom those duties were entrusted. It is not unlikely, however, that it was attached, by the founder, to the college; and that

^a Statutes, cap. 8.

^b Dugd. Bar. I. 320.

it continued, till the dissolution, to be served by one of the members of that body. The building was of the simple oblong form, measuring one hundred feet from east to west, and composed, like the church, of flints, strengthened and consolidated by the occasional insertion of square blocks of stone. The whole of the lower part of the north wall, with its original arched doorway, still remains, and divides the pleasure ground of the Castle from the kitchen garden which is behind it. When the latter was prepared for cultivation, in 1822, the foundations of the south and west walls also were discovered and removed. On that occasion, it was ascertained that numerous interments had taken place within the chapel: many of the vaults, or graves, occupied by the deceased, were opened in the progress of the work; and large quantities of bones, which it was necessary to disturb, were conveyed to the church-yard, and re-committed to the earth.

The chapel of St. James ad Leprosos, which, from its appellation, appears to have been attached to an hospital for lepers, must have been founded at the end of the twelfth, or in the early part of the thirteenth, century. The general prevalence of leprosy, during the two preceding ages, had not decreased the ignominy which adhered to its unfortunate victims; whilst the contagious nature of the disorder rendered it necessary to exclude them from the society, and consequently from the religious assemblies, of their neighbours. Their attempts to mitigate the severity of this privation, by erecting chapels for their own use, were, for a considerable time, unsuccessful. The clergy, from some unworthy prejudice, or some disgraceful apprehension of losing a

Chapel of
St. James
ad Lepro-
sos.

portion of their dues, strenuously resisted every proposal for carrying the design into effect; and the wretched beings, whom disease had cut off from the fellowship of their kind, were doomed not only to languish in solitude and shame, but to be deprived also of those consolations, which the exercises of religion can alone impart. It was in the third council of Lateran, held in 1179, that this enormity first attracted the public attention of the church. In that assembly, a solemn censure was pronounced against those, whose opposition to their afflicted brethren had manifestly proclaimed to the world that they “sought their own, and not the things that were of God:” their conduct was declared to be at variance with the genuine spirit of christianity; and a decree was passed, ordaining that, in future, “wherever the number of lepers living in community was sufficient to authorize such an indulgence, they should be allowed to have a church, a burial ground, and a pastor of their own; that they should pay tithes neither for their orchards, nor for their cattle; but that, at the same time, they should be careful not to employ these privileges to the injury of the parochial church, by diverting any portion of its accustomed dues into their own coffers.”^a This decree established the independence of the lepers, so that chapels now began rapidly to appear, in connexion with almost every foundation for their reception. Among the rest, the lepers of Arundel were forward in availing themselves of their new license; and before the middle of the thirteenth century, the chapel of St. James was already in existence. It is first mentioned in the escheat roll of the fifty-sixth year of

^a Conc. Lateran. canon 23. Fleury, Hist. Eccles. liv. 73. n. 21.

Henry the third (An°. 1272). From that document we learn, that its duties were performed by one chaplain; that the right of collation was vested in the Earl of Arundel; and that the annual value of the endowment, at that period, was forty shillings.^a In the account roll of the college, for the year 1459, its name occurs among those chapels whose oblations were paid over to the receiver of that house. It is there described as being in the possession of a hermit: and the amount of the offerings made at its altar, during the preceding year, is stated to have been one shilling and five pence halfpenny.^b

The hermit here alluded to belonged, probably, to the order of Augustinian friars, or hermits, to whom the spiritual charge of these hospitals was frequently, if not generally, committed.^c In the accidental notice of this person, thus conveyed to us by the roll, it is not impossible that the means of ascertaining the actual site of the chapel in which he officiated may have been preserved. Of the chapel itself, indeed, the memory has long since passed away; but the “hermitage field” was known even within the present century; and the “hermitage,” or at least its ruins, must have existed as late as the year 1635. A terrier, dated November the first, in that year, is still in the possession of the vicar. In it, the situation of the lands subject to the payment of the vicarial tithes is carefully described, those on the east side of the old London road, as extending from

Its situa-
tion.

^a “Collatio capellæ S̄ci Jacobi ad Leprosos spectat ad collationem domini, et valet xl. solidos.” Esch. fact. apud Arundel, 56 Hen. 3.

^b “Et de xviii^d. ob. de oblatione in capellâ S̄ci Jacobi, quæ occupatur per heremitam.” Account roll, 38 Hen. 6, at Norf. H.

^c Dugd. Monast. II. 365—484.

Mary-Gate towards the north, as far as "Pudean Lane;" those on the west, as stretching "from the said Mary-Gate unto a certain lane over against the said Pudean Lane, *that leadeth to a place called the Hermitage, near the great park pale.*" Of "Pudean Lane" the direction is still marked by the double hedge-row of thorns and stunted maples, which crosses the park from east to west, about half way between the entrance and "Hiorne's Tower." Proceeding to the western extremity of this lane, where it enters the old London road, and crossing the fence into the adjoining enclosure, the enquirer will discover, in the inequalities of the ground, the visible traces of the other lane mentioned in the terrier. It is here running in a westerly direction. At the distance, however, of about one hundred and thirty paces, it takes a sudden turn towards the north, or north-west, and, leaving a spot where it has been interrupted by a modern excavation, proceeds between the hedge-rows, that now reappear, till it sinks into a narrow and beautiful dell which, in this part, forms the western margin of the park. Here, beneath a clump of trees, that have grown up from amongst the ruins, the foundations of a building are still discernible. Of its form the remains are not sufficiently perfect to convey an accurate idea: but enough exists to shew that it was of considerable extent, and that a space of at least one hundred feet in length, by eighty feet in breadth, must have been contained within the enclosure. It is situated rather more than half way up the dell, on the eastern side, and about fifty paces from the park wall.

That this was the building described as the "Hermitage," in 1635, there can be no doubt: that it

was also the hospital and chapel of St. James, whose duties were formerly entrusted to the ministration of a "hermit," is more than probable. Placed at a short distance from the town, the spot is precisely such as was usually selected for these institutions; whilst the very dell, in which it stands, serves to confirm its identity, by corresponding exactly with what we have reason to suppose was the locality of the ancient edifice. It is generally known that, in Sussex, the word "dean," like the British "*cwm*," is synonymous with *a dell, or valley, among the hills*.^a Now it so happens, that evidence, proving a valley of this description to have derived its appellation from the establishment in question, is still preserved. Among the disbursements of the college, for the year 1459, we find a sum of three shillings and eleven pence, paid for the rent of "a piece of land in Saint James's Dean:"^b and it is not, therefore, too much to suppose, that the chapel and its hospital were placed within the dell on which they thus conferred their name. Of the hospital itself scarce any memorial has survived. It comprised two distinct establishments, whereof one was allotted to the reception of male, the other to that of female, patients. The endowments were separate: but of their nature or extent we know nothing beyond the fact, that the female community received an annual rent of £9. 8s. from the profits of the Swanbourne mills.^c At what period the

^a Thus Rottingdean, Ovingdean, Standean, and, in Arundel park, Pudean, with many others through the county, all of which are vallies among the hills. It is remarkable that the British synonyme is also preserved in many of the Sussex names, as "Bay-coomb," "Bury-coomb," and others.

^b Account roll, 38 Hen. 6, at Norf. H.

^c Esch. 56 Hen. 3.

buildings ceased to be applied to their original purpose we are not informed. Probably, as the leprosy began to subside, they were gradually disused, and at length either purposely dismantled, or suffered to fall in ruins.

Chapel of
St. Laurence.

There was another chapel, which is spoken of in the survey made by order of Richard, Earl of Arundel, in 1380,^a and is frequently mentioned, at a subsequent period, in the account rolls of the college. It was the chapel of St. Laurence. Beyond its existence and its name, however, little is known. Its altar, next to that of the parochial church, appears to have been the favourite resort of the pious: and its oblations, which were paid over to the college, were comparatively large. Their average, in six years taken promiscuously, amounted to about six shillings and sixpence a year; a sum equal to more than twice the usual average of all the other chapels united. Of its site and extent no information has reached us. In Hollar's view of the town, however, there appears an oblong building attached to the south-east external angle of the college, and occupying the open space in front of the present entrance to the Castle. It has much of the character of a chapel, though apparently converted into a dwelling; and it is not impossible, therefore, that this may have been the ancient chapel of St. Laurence.

Priory of
Calceto.

The priory of St. Bartholomew, indifferently called the priory of Pyneham, of Calceto, and of the Causeway, though situated in the adjoining parish of Lyminster, was too intimately connected with the town of Arundel to be entirely omitted in the account of its religious institutions. It was established by queen Adeliza,

^a Burrell, MS. 5687, f. 5.

widow of Henry the first, and wife of William de Albini, Earl of Arundel, as a convent of Augustinian canons;^a and stood a short distance from the high road, at the foot of the hill, which overlooks the town from the south side of the river. With the precise date of its foundation we are unacquainted. The last recorded act of Adeliza, however, was the grant of the prebend of Westdean to the cathedral of Chichester, in 1150:^b and, as her death occurred in the following year, it is not improbable that the erection of the priory of Calceto was previous to that period. By the foundress, the number of inmates, appears to have been originally limited to two persons, whose principal duty was, to take charge of the bridge, and preserve the passage of the river. To secure their attendance, a piece of land, contiguous to the causeway, was marked out for the site of a convent, and for the supply of its necessities: the incumbents obtained a grant of one bushel of corn to be delivered annually from the Swanbourne mills; and they procured, for themselves and their successors, a supply of thirteen cords of wood for fuel, to be cut each year in the forest of Arundel, together with whatever quantity of timber might be necessary for the constant and effectual repairs of the bridge.^c After the death of Adeliza, the establishment was enlarged by her surviving husband: and new grants of various descriptions proportionably encreased the value of the endowment. To the former property were now added the fishery on each side of the bridge, at Arundel, to the distance of a furlong, the right of pasturage in the 'brooks,' in common with the burgesses,

^a Dugd. Monast. II. 143.

^b Lib. Episc. B. vol. xviii. fol. 12.

^c Dugd. Monast. II. 143.

or inhabitants, of the town, for fourteen cows and two bulls, the privilege of turning any number of hogs into the park and forest of Arundel, and the power of claiming a joint share, with the tenants of the Earl, in all the common pastures within the hamlet of Wepham.^a Other possessions afterwards succeeded. In 1309, Richard de Bure obtained a patent, authorizing him to augment the foundation: and a grant from him of eighty acres of land, with a messuage and other appurtenances, in the parish of Warblington, in Hampshire, soon after formed an important addition to the property.^b Yet, with these and other acquisitions, in the parishes both of Westbourne and Selham,^c the revenues of the convent were seldom sufficient for its ordinary necessities: to any sudden or extraordinary emergency they were wholly inadequate. In 1344, Edward the third had obtained the grant of a tenth and fifteenth, to be levied on all property within the counties of Sussex and Southampton, and, in the following year, the payment of this sum was required from the monks of Calceto. Aware of their inability to meet the demand, they resolved at once to seek a remission of the tax. They represented to the king the poverty of the house; assured him that they were in a great measure dependent, for their support, on the charity of the faithful; and concluded by entreating him to relieve them from an impost, which, in its operation, must necessarily involve them in irretrievable ruin. This petition was followed by a similar representation from Robert Stratford, bishop of Chi-

^a Dugd. Monast. II. 143.

^b Pat. 2 Ed. 2. p. 2. m. 5.

^c Dugd. Monast. New Edit. VI. 260. "Prior de Calceto tenet unum feod' militare in Suleham." Inquis. apud Arundel, 6 Hen. 6.

chester: and two patents were consequently issued, by which the canons, as wardens of the bridge at Arundel, were freed from the burden of the present tax, and specially exempted from the payment of all future "tallages, aids, and contributions, granted, or to be granted, within the realm of England, for ever."^a But even this valuable immunity was not sufficient to establish the independence of the priory. Within the space of another century, we find its property, moveable and immoveable, placed in the hands of trustees for the liquidation of its debts.^b The canons, unable to subsist on the foundation, were compelled to seek a maintenance elsewhere; and the church, deprived of its ministers, seldom witnessed the celebration of its accustomed service. The following extracts from the account of a visitation, made in July, 1478, will convey an adequate idea of the nature and situation of the establishment, at that period.

"Master John Gyfford, prior of Calceto, examined on oath, before John Wynne and Doctor Cloos, commissioners of the reverend father, the lord bishop of Chichester, declares, that, at five o'clock each morning, he recites matins in the church of the convent: that he then commonly celebrates mass; and that, on the principal festivals, at least, he says vespers in the choir. He acknowledges that he has never risen, to perform the

^a Pat. 19 Ed. 3. p. 1. m. 2, et p. 2. m. 2. "Pro canonicis de Arundell, custodibus pontis de Arundell."

^b "Bona mobilia et immobilia prioratûs stant, de præsentî, sub regimine certarum personarum, auctoritate dicti reverendi prioris, donec et quousque domus fuerit ære alieno liberata." Visitation, An^o 1441, apud Regist. Episc. E. f. 82.

divine office, at the canonical hour of midnight, and he asserts that, in this, he has been warranted as well by the unvarying example of his predecessors, as by the small number of canons belonging to the community. That number, it appears, though it has sometimes amounted to three, has more commonly been confined to two, persons, including the prior. At the present moment, indeed, the establishment claims, in addition to the superior, two other members, Richard Ingram and William Fox; but these, by the express permission of the prior, are employed at a distance from the convent, and have not resided within its walls during the last six years. To our enquiries respecting the admission of females, and the morality of the house, the answers of the prior are satisfactory. He keeps three men-servants and a youth: of these only one receives wages; the others, in return for their services, are merely boarded and clothed. The common seal, by command of the visitors of the order, is deposited in the college of the Holy Trinity; and the pensions, granted chiefly under its authority, amount to the annual sum of £6. 8s. 8d., payable to eight individuals, and terminable with the lives of the several grantees. The debts of the house amount to four marks: the total of the arrears due to it is forty shillings. The rental, which was originally forty pounds, is now reduced to as many marks; and the priory itself, with many of the buildings belonging to it, is in a neglected, and dilapidated condition. The stock of cows, oxen, and other cattle belonging to the establishment, is numbered at twenty-four. The canons possess two chalices, whereof one is gilt, one salt-cellar, one goblet, and two spoons, all of silver. They have

but few vestments for the altar, and are almost, if not entirely, destitute of books."^a

Such was the priory of Calceto, in 1478: such too, or something nearly similar, was the state in which, forty-six years later, it was found by Wolsey, and by him selected, with twenty-one others of the lesser monasteries, to form the endowment of his intended college at Oxford. The bull of pope Clement VII., authorizing its suppression, was dated in 1524: the patent of Henry, confirming the decision of the pontiff, was issued in the following year; and Wolsey, who was eagerly engaged in forwarding his projected institution, immediately took the administration of its revenues into his own hands.^b But the disgrace of that statesman finally diverted its possessions into another channel. In 1529, it was seized, under the statute of the 16th of Richard II., commonly called the statute of *præmunire*, and, in the ensuing year, its lands, with those of the monastery of Beyham, were given by act of parliament to Lucy, fourth daughter of John Nevil, Marquess of Montacute, in exchange for her portion of an annuity, granted to her ancestor, Sir Thomas de Bradstone, in the reign of Edward the third. In that lady and her descendants the property remained till 1805, when it was purchased of George-Samuel, Viscount Montague, by the late Charles, Duke of Norfolk, and settled, under the authority of parliament, on the Castle and Earldom of Arundel.^c

The collation to the priory belonged to the see of Chichester: though a claim to a certain share of influence in the appointment of its superiors seems occa-

^a Regist. Episc. D. f. 29, 30.

^b Rymer XIV. 23, 32. Dugd. Monast. VI. 260, New Edit.

^c Stat. 22 Hen. 8. Evidences at Cowdray, apud Burrell MSS.

sionally to have been advanced by the Earls of Arundel.^a When the property was made over to Wolsey, it was valued, in spirituals, at £11. 0s. 0d., in temporals, at £32. 0s. 10d., per annum.^b

The convent has already been described as situated at the foot of the Causeway Hill. Of the form or style of the building, which appears never to have been very extensive, we have no information. A strong square tower is all that has escaped the ruin of seven hundred years: but the alterations of modern times have destroyed the characteristic features of its architecture, and but little remains in its appearance, to convey even an idea of its monastic origin.

Priors.

1401. John Cheney resigned Sept. 2, 1402, "ob infirmitatibus." Regist. Episc. R. f. 82^a.

1402. John Horner, collated Sept. 24, 1402. Ibid.

1434. Edw. Dene.

1438. John Chamberlaine.

1440. John Baker, collated in 1440. Regist. Episc. E. f. 14^b.
Nicholas Elmere.

1468. John Gifford, collated, Dec. 22, 1468. Regist. Episc. E. f. ult: resigned in 1479. Regist. D. f. 46.

1479. John Byryman, collated in 1479. Regist. D. f. 48.

1503. William Fromond. His collation is not entered: ob. 1504. Regist. A. f. 38.

1504. Richard Abell, collated April 9, 1504. Regist. A. f. 38.

1521. Robert Ayling, mentioned in the visitation of bishop Sherburne, in 1521. Regist. C.^c

^a On the collation of John Baker, in 1440, this declaration was made by the bishop:—"non intendimus juri prænobilis Dñi, Will'i, Comit'is Arundell, si quod habuerit in dicto prioratu, per nostram præsentem collationem aliquo modo derogare." Regist. Episc. E. f. 14^b.

^b Tanner, Notitia, Sussex.

^c In a survey of the town, made in 1570, and still preserved at Norfolk House (Sussex, Sundries, Box 9.), "a pension, given unto the Brethren Minors at Arundel," is spoken of: but it is the only allusion to such an establishment that I have hitherto discovered.

CHAPTER XI.

BOROUGH OF ARUNDEL.—ORIGIN OF ITS PRIVILEGES—A FEUDAL APPENDAGE OF THE EARLDOM—ITS GOVERNMENT AND COURTS—COURT OF THE HONOUR—COURT LEET—JURISDICTION OF THE LATTER, AND MUNICIPAL POLITY—MARKETS AND FAIRS—WRIT OF “QUO WARRANTO” TO ASCERTAIN THE RIGHT OF THE TOWN TO THE IMMUNITIES OF A BOROUGH—ANSWER TO THE WRIT, AND PATENT GRANTED THEREON—DISPUTE CONCERNING THE MANNER OF ELECTING THE MAYOR—JUDICIAL DECISION ON THAT AND OTHER POINTS CONNECTED THEREWITH—THE PRESENT CORPORATION—ITS REVENUES—BURGESSES’ BROOKS—PARLIAMENTARY PRIVILEGES—THE TOWN—ANCIENT FORTIFICATIONS—DAMAGE DURING THE SIEGE, IN 1643—ITS STREETS AND BRIDGE—THE PORT—SWANBOURNE MILLS—CONCLUSION.

AMONGST the many properties which have contributed to render Domesday Book one of the most splendid monuments of antiquity, it is not its least valuable characteristic, that it presents us with a double survey; that whilst it states the existing worth of the property which it describes, it also compares it with what was known to have been its value in the previous reign of the Confessor; and that it thus enables us not only to estimate the improvement effected in the interval, but, in numerous instances, also to trace the derivation of privileges, to discover the rise of institutions, and to ascertain the period, at which communities began to be formed, and towns to rise into importance. In this respect, Arundel, amongst other places, must be content to acknowledge its obligations to the survey of the

Arundel a
Borough.

Origin of
its privi-
leges.

Conqueror. Of its early history, indeed, as a borough, of the origin of its liberties, and of the time at which they were obtained, but little is positively known: yet enough remains in Domesday to shew, that their date could scarcely have been anterior to the conquest, and that the opinion, which refers them to the more remote era of the Saxon kings, is, consequently, without any solid foundation. In the reign of Edward the confessor, who died only a few months before the Norman conqueror arrived, the whole property of the place seems to have been comprised in the Castle and the mill. At that period, neither customs, nor port-dues, nor immunities of any description are mentioned as belonging to it: and the gross amount of its returns is valued only at the comparatively trifling sum of eighty shillings. But in the short space of twenty years, from the death of Edward to the compilation of Domesday, the town had suddenly sprung into importance. Too inconsiderable before even to be noticed, it now for the first time appears in the character of a Borough. Its inhabitants, though apparently not numerous, are styled Burgesses: its shipping is referred to; its customs and port-dues are specified; and the property which, in the reign of the Confessor, had produced only eighty shillings, is assessed at more than twenty-seven pounds.^a In referring, therefore, to the date of its privileges as a corporate borough, it will be necessary to fix on the time between the death of Edward, in 1066, and the completion of Domesday, twenty years later. At the commencement of that period, the town would seem to have scarcely had an existence,—certainly to have

^a Domesd. 23. a. 1.

possessed nothing of the immunities and consequence of a borough: at its termination, we find it in the full enjoyment of its liberties, engaged in a thriving trade, and rapidly growing in importance. Hence, we have only to carry our recollection along the transient and stormy career of Harold, to look over the few months by which his reign is measured, and to reflect on the more serious enterprises that must have engaged his attention, and the presumption which shall assign the origin of the municipal franchises of Arundel to the grant of the Conqueror, will hardly be deemed unreasonable or weak. Those franchises were, most probably, conferred by William, at the same time that he settled the earldom on Roger Montgomery, in 1071: and it is not unlikely that the concession was made at the special request of that nobleman. In a plea, held in May, 1288, for the purpose of ascertaining the rights and privileges of the borough, it is expressly declared by the inhabitants, that “*they claim no liberty, except through their aforesaid lord, Earl Richard, and his ancestors.*”^a

By Roger Montgomery the town was held as a feudal appendage of the Castle: and the restrictions imposed on its inhabitants, no less than the fines derived from its courts, and the tolls and other duties collected in its markets and fairs, afford perpetual evidence in the rolls, that it continued to be possessed by his successors in the same manner.^b Like the Castle, however, it was

An appendage of the Earldom.

^a “Burgenses dicunt quod ipsi nullam libertatem clamant, nisi per prædictum Ricardum, dominum suum, et antecessores ejus.” Plac. coron. in crast. ascens. 16 Ed. 1. rot. 65.

^b “Juratores dicunt, super sacramentum suum, quod tenentes villæ de Arundel non possunt legare tenementa sua in eadem villâ.” Plac. de Assis. 7 Ed. 1. rot. 1. dors.

held in capite of the crown; and the service, attached to the tenure, was that of furnishing five knights to the king, during the time of war.^a Its government was vested in a mayor, who directed the internal concerns of the community, and, in addition to the usual privileges of his office, had, as the deputy or representative of the lord, the sole execution and return of all writs within the borough. It possessed two courts of local jurisdiction, the court-leet, and an inferior court for the recovery of small debts, and the punishment of minor offences. The latter, which was, in reality, a branch of the former, was called the court of the honour, and sometimes the borough-court. It was held every three weeks, by public notice from the mayor, and its profits, derived from fines and other sources, were paid over by the officers to the lord.^b The court-leet was of a more important character. It was an annual court, held on the first Tuesday after Michaelmas day; and was open to all the inhabitants of the town. In it, the mayor, coroner,^c and other officers for the ensuing year were elected; licenses were granted to the brewers and bakers of the parish; the assize of bread and ale was regulated; presentments were made, by a jury of twelve burgesses^d

Its govern-
ment.

And
courts.

^a MS. Harl. 4840, f. 194.

^b Plac. coron. Term. Trin. 28 Eliz. rot. 2.

^c “Quoad electionem coronatorum, dicunt quòd, a tempore quo non existit memoria, semper elegerunt coronatorem, in plenâ curiâ prædicti burghi, de seipsis et coram eis, sine brevi domini regis, et in plenâ curiâ suâ semper præstiterunt sacramentum de officio prædicto fideliter faciendo.” Plac. coron. 16 Ed. 1. rot. 65.

^d In the rolls, the inquisition is always said to be made by twelve jurors; but the names of the parties, which immediately follow, are frequently fourteen, and sometimes eighteen, in number. I have met

empannelled for the purpose, of all nuisances, civil trespasses, and violations of the municipal law; and fines were imposed, and punishments awarded, according to the magnitude of the offence, or the frequency with which the accusation had been substantiated against the offender.^a The following notices, extracted promiscuously from some of the court rolls, will give the reader a tolerably correct idea of the ancient polity of the borough.

The jury presents the following offences: "Robert Gobel, William Wayte, and four others, tanners, exercise their calling contrary to the provisions of the statute, and are therefore fined, the first four sixpence, the others two pence, each.

"Henry Gaunt, Richard Clavell, and nine others, butchers, make an exorbitant profit on their meat, and are, therefore, fined in the sum of two pence each. Thomas Downer sells unwholesome meat, and is fined for such offence twenty pence.

"William Horsely, John Sharp, and John Dokett, fishmongers, make exorbitant profits, and are, therefore, fined in the sum of two pence each.

"Alice Gilmin, John Penn, and two others, inkeepers, make exorbitant profits by their calling, and are, consequently, fined four pence each."

The bailiff presents the following:—

"William Hayward, Robert Dunderhill, and William Sprot, bakers, use false weights, and are for such offence fined, the first four pence, the others two pence each.

"Robert Dunderhill, and William Hayward, who are by appointment the common bakers of the town, do not supply a sufficiency of

with only two instances, and those in the reign of Henry the seventh, in which they do not exceed twelve.

^a Besides the pillory, the tumbrel, and the gallows, mentioned hereafter, it is known that, so late as 1676, there was a house of correction on the west side of the High street. MS. survey at Arund. Castle.

bread, to the great inconvenience of the inhabitants : they are therefore fined, the former four pence, the latter sixpence.

“ William Hayward, Thomas Hayward, and others, bakers, neglect to make their farthing loaves according to the law, and are, therefore, fined each two pence.

“ William Cote sells candles of no value, and without cotton, to the injury of the borough ; he is, therefore, fined sixpence.

“ Richard Draper sells woollen cloth by retail, and makes exorbitant profits ; he is, therefore, fined in the sum of four pence.^a

“ William Duddlestone sells oysters in his own house, without exposing them to sale in the market, as he is bound ; he is, therefore, fined eight pence.

“ William Spencer has bought eggs and butter beyond the precincts of the borough, and before they had arrived at the market ; he is, therefore, fined two pence.

“ John Michelborne, Robert Smyth, and seven others, have purchased bread from persons not residing within the borough ; and are, therefore, fined each in the sum of two shillings.

“ John Norton, Joanna Serjeant, and two others, have purchased beer, in the same manner, from persons not residing within the borough ; and are, therefore, fined each three shillings and four pence.”

The ale-conners present the following :—

“ John Barbo, Roger Shadyngden, and others, brewers, refuse to sell a gallon of ale for one farthing, according to the proclamation of the mayor ; and they are, consequently, fined two pence each.”

The constable presents the following :—

“ Thomas Walter has struck Matilda, the wife of William Horsbere, with his fist ; and is, therefore, fined sixpence.

“ Thomas Clayton has wounded Ralph Veske with a dagger, and Arnold the Dutchman has struck and wounded Thomas Caley with an iron pot ; and they are, therefore, fined, the first six shillings and eight pence, the second two shillings and four pence.

^a The statute, 1 and 2 Phil. and Mar. cap. 7, which is still in force, prohibits all “ strangers ” from selling by retail any woollen or linen cloth, or other mercery wares, within a corporate town, except on fair-days, under penalty of forfeiture, &c.

" John Sonnyng has uttered malicious words against Laurence, the prior of Tortington, for which offence he is fined three pence.

" Gylvin Tastet has dice and cards in his house, and is, therefore, fined twelve pence."^a

It will be seen that the object of the regulations, under which several of the foregoing penalties were imposed, was to encrease the receipts of the market, and to prevent any evasion of its tolls. Nor was this the only advantage possessed by the borough. Whilst from every " stranger" these tolls were rigorously demanded, the burgesses themselves were privileged to expose their commodities for sale in any market within the honour of Arundel, free from the payment of all dues. At Petworth, and in other places, this immunity was strenuously asserted. Any attempt to defeat the claim was instantly resisted; and every successful exaction was sure to be reclaimed by the lord, and ultimately refunded by the offender.^b The market, held within the borough, and regulated by the court-leet, took place on Thursday and Saturday in each week, and, with the fines of the

Its markets.

^a Court-rolls, at Arund. Castle, 25 Ed. 3, 33 Hen. 6, 2 Ed. 4, 21 Ed. 4, and 1 Mary. At the court held Nov. 28, in the last mentioned year (1553), a regulation was made, by which any one purchasing beer or bread either from unlicensed traders, or, except on market-days, from persons not residing within the borough, subjected himself to a penalty of six shillings and eight pence for each offence.

^b " Et quia per eandem inquisitionem convictum est quòd omnes homines de honore de Arundell quieti esse debent de theloneo dando infra honorem illum, consideratum est quòd prædicta villa (Petworth) deliberet vadia, &c. (a toll had been enforced); et quod nullus balivorum prædictorum de cætero capiat theloneum de aliquibus hominibus de honore prædicto, infra libertatem illam." Plac. de Assis. 7 Ed. 1. inter rot. 26 et 27.

court itself, added to the tolls received for the admission of various merchandize, produced to the lord an annual sum, which, in 1272, was thought to average sixty shillings.^a

And fairs.

Besides this market, Arundel was privileged, from an early period, to have four annual fairs within its precincts. Of these, two were obtained by Richard, Earl of Arundel, in 1285, and were appointed to be held on the eve, day, and morrow, of the respective feasts of the invention of the cross (May 3), and Saint Nicholas (Dec. 6).^b Another, to commence on the eve of the exaltation of the cross (Sept. 14), and to continue during three days, is mentioned in 1288 :^c and a fourth, of one day only, on the feast of St. Laurence (Aug. 10), is asserted, in the pleadings of 1586, to be of ancient and indefeisible right. It is not improbable, however, that the last was of less remote origin than either of the others,

^a “ Ricardus Filius Alani clamat habere mercatum singulis septimanis, per diem Jovis, et diem Saturnii.” Plac. coron. 16 Ed. 1. rot. 56.—“ Placita et perquisita curiæ, una cum tolneto mercati, valent per annum LX solid.” Esch. 56 Hen. 3.—I have taken the word ‘ curia ’ in the sense of court-leet : whether, however, it may not more properly be understood, in this instance, to mean the court of Pie-Powder will, perhaps, be doubted. This latter, so called from ‘ *pied poudreux*, ’ the old French for ‘ *pedlar*, ’ is a court of record held in fairs, and, by special grant, in markets, for the redress of all disorders committed therein, and for the administration of justice between buyers and sellers : and the union of the word ‘ curia ’ here with the tolls of the market would almost seem to indicate that such was the court to which it referred. There is no evidence, however, to prove the existence of a grant extending the jurisdiction of this court to the *markets* of Arundel. See Cowel, and Tomlins, in voce ‘ Pie-powder.’

^b Cart. 13 Ed. 1. m. 7. N°. 27.

^c Plac. coron. 16 Ed. 1. rot. 65. dors.

and that when *they* were curtailed in duration to the space of one day each, *this* was added to their number, and granted, by way of partial indemnification, to the town.

It was not until the year 1586, that any serious opposition seems to have been offered to the claims of Arundel as a corporate town. In 1583, indeed, a controversy had arisen as to the exclusive right of the mayor and his officers to execute writs within the borough: but a jury of the oldest inhabitants had declared the immemorial custom to be in favour of the privilege, and the question, it was thought, had been finally settled by the decision.^a The dispute, however, had drawn the attention of government to the subject. In January, 1586, Popham, the queen's attorney-general, moved for a writ of "*Quo Warranto*," calling on the mayor and burgesses to shew "by what warrant they claimed to use and enjoy the liberties and franchises" there specified; and, in the following June, a plea, entered in their behalf, replied to the information, and detailed the privileges which they asserted to belong to them of established right. They affirmed that Arundel was an ancient borough, and that, "from the time whereof the memory of man was not to the contrary, they and their predecessors, together with divers of the better inhabitants of the town," had been annually accustomed to elect and appoint one of the burgesses to fill the office

Its privileges are questioned.

Writ of 'Quo Warranto.'

And plea.

^a "Imprimis, the sayd enhabytants can testyfye that they dyd never knowe nor heare the contrarye (before the sixth or seventh yeare of the reigne of queene Elizabethe) that any person or personnes hath at any tyme served, or of right ought to have served, any wryts of capias within the sayd boroughe, but only the constables of the said boroughe." Declaration of inhabitants, in 1583. MS. at Norf. H. Sussex, Sundries, Box 9.

of mayor for the ensuing year; that, from the same period, they had enjoyed the right of nominating and constituting the burgesses, or members of the corporation; and that these, together with the mayor, had always been empowered "to do, exercise, and execute all and singular the things which to the office of mayor and burgesses of the said borough" belonged. They further asserted, that the said mayor and burgesses had always "held and kept" two markets in each week, on Thursday and Saturday, and four fairs in the course of the year, one in each of the months of May, August, September, and December: that they had ever had a court, held every three weeks, for "pleas under the sum of forty shillings;" that, in it, they had appointed port-reeves and constables, with two sergeants-at-mace, "for the better government and protection of the queen's subjects within the borough;" but that, with regard to the court-leet and the other privileges mentioned in the information of the attorney-general, to the right of electing a clerk of the market, of having "the regulation of weights and measures, and the assize of bread, wine, and ale," of possessing a pillory, a tumbrel, and a gallows, and of claiming the return and execution "of all writs, precepts, and mandates within the borough," they had never enjoyed them, either wholly or in part; and they concluded by offering to verify these several averments "as the court should allow," and praying "that all and singular the liberties and franchises, in this their plea claimed to be had, used, and enjoyed by them, might be for ever thenceforth allowed and adjudged to them." To confirm this plea, the testimony of various living witnesses, together with the authority of "divers ancient records, writings, and evidences of the borough afore-

said," is declared to have been produced; and, on the twenty-second of the same month, a patent was issued, acknowledging the truth of the allegations set forth by the mayor and burgesses, and confirming to them, and to their successors for ever, such of the disputed privileges as had not been abandoned in their plea.^a

The privileges are defined by a patent.

This patent recognised the existence of the corporation, as a municipal body: it also created some misapprehension as to its meaning, which gave rise to further litigation. In 1587, the very year after it had been obtained, two burgesses, named Francis Garton, and William Lusher, were put in nomination for the mayoralty. Instead of conforming to the ancient usages of the election, each party undertook to challenge some particular deviation from the established custom: and, as each was supported by a numerous body of adherents, each was enabled to claim the victory for himself. Under other circumstances,

Whose meaning is disputed.

^a Plac. coron. 28 Eliz. rot. 2. Pat. ejusd. an. It should, however, be remarked, that, notwithstanding the judgment of the crown, the claims of the mayor and burgesses were false in almost all their particulars. From the rolls to which I have already referred, it is certain that the right of holding the markets and fairs within the borough was vested in the lord, to whom, in fact, the profits were paid; and the corporation, therefore, could have been nothing more than his servants, to collect the tolls, and regulate the proceedings. In like manner, the borough-court, for the recovery of small debts, belonged to the lord, and accounted to him for its fines: whilst the election of constables and other officers, here asserted to have taken place in it (*in eâdem curiâ*), had ever been, and still is, restricted to the higher branch, or court of the *leet*. With regard to the remaining part of the plea, it is certain that all the liberties which it disclaims were, and are, really the privileges of the lord (Orig. 12 Ed. 3. rot 50. and 35 Ed. 3. rot 6. Pat. 1 Mar. p. 2. Brev. de priv. sigil. 2 Jac. 1. Pat. 17 Car. 2.): yet it is nevertheless true, that, in defiance of its own patent, the return and execution of writs, no less than the power of holding the assize of bread, wine, and ale, and of regulating the weights and measures of the borough, have ever since continued to be challenged and exercised by the corporation, in its own right.

And explained.

a reference to the patent might have determined between the pretensions of the rival candidates : but, in the present instance, both appealed with equal confidence to its provisions, and it became necessary, therefore, to resort to the authority of some superior tribunal for the decision of the question. To Sir Thomas Gaudy and Mr. Clark, two of the judges, the matter was entrusted by the queen, and the following “ articles of agreement indented ” were at length drawn up, by consent of the parties, and ordered to be registered, for the settlement of all future controversies. They are dated in 1588.

“ Imprimis : The lawday for the borough of Arundel shall be kept yearly on the Tuesday next after the feast of St. Michael the archangel, according to the ancient custom so used to be kept.

“ Item : the mayor of the borough of Arundel for the time being shall yearly return the jury for the same day to the Earl of Arundel’s steward,^a in which return they shall put in the burgesses of the same borough principally, and, with them, so many other of the principal inhabitants, as shall make up the full number of twenty-four, according to their ancient customs. Provided always, that, if the mayor of the said borough for the time being shall neglect, or obstinately refuse, to return the jury in manner and form above written, (he, or his

^a In 1735, a curious case arose. John Booker had been elected and sworn into the office of mayor, on Tuesday, September the thirtieth, and, on the twentieth of the following month, after a short illness, unexpectedly died. It was necessary, of course, to appoint a successor : but the law required “ the mayor for the time being ” to return a jury for that purpose ; and it became a serious question, therefore, whether, as no such person existed, any jury could be empaneled, or whether any successor could be chosen. After a litigation of more than twelve months, *during which the borough remained without a mayor*, the point was decided by a mandamus to Richard Holmes, Jun., the steward of the court, to issue his precept to the senior burgess, George Moore, requiring him to return a pannel for the nomination of a person to serve the office of mayor. Copy of Mandamus, at Norf. H.—Sussex, Sundries, Box 9.

deputy in his absence, being solemnly called for the return of the said jury, in the beginning of the said court, on the lawday), then the said Earl's steward, and of his heirs for the time being, by his good discretion shall presently call to him two of the ancientest burgesses of the said borough, and they jointly together to return the jury for the lawday, in manner and form as is before mentioned.

“ Item : The jury, being returned as aforesaid, after their oaths taken, and charge to them given by the said steward, according to their accustomed order, shall present and publish two of the burgesses' names unto the same steward, out of which two, the commons, not being of the jury, shall, by the most voices, choose one to be their mayor of the said borough for the year following, according to their ancient custom ;^a and, upon this their election, the same steward for the time being shall presently give unto him, so elected to be mayor, his oath, accustomed to be given on the said lawday ; and then the old mayor to deliver over to the said new elected mayor his mace, in token of his authority, as it hath been of old times used and accustomed to be.

“ Item : The jury shall present in the lawday to the said steward all such other officers, which of old time have been used and accustomed to be elected and presented, *or so many of them as they may lawfully present ;*^b and presently, on the said lawday, the said steward to

^a Among the records of the corporation, there is, or was formerly, “ an exemplification of the proceedings, in a cause tried, Feb. 12, 1677, between Richard Hall, plt. and John Pellat, deft., occasioned by an action brought by the plaintiff against the defendant, upon a wager, wherein the plaintiff says, that the mayor of Arundel for the time being is, and ought to be, chosen out of the burgesses then being, and that the burgesses are chosen out of the inhabitants, by the mayor and major part of the burgesses for the time being, which the defendant denied, and thereupon issue was joined, and a verdict given for the plaintiff.”

^b This evidently alludes to the abolition of the custom, which authorized the inhabitants to appoint a local coroner, but which, since the date of the proceedings, in 1586, has been entirely abandoned. The right of electing that officer, in the annual court-leet, was cer-

give them their several oaths, for the due execution of their several offices, as of ancient times they have used and accustomed to do.

“ Item : The mayor of the said borough for the time being by his sergeants shall warn the inhabitants of the same borough to the law-day yearly, as of old time they have used and accustomed ;^a and not by any bailiff, or other officer of any of the hundreds of the said Earl, unless it be by the negligence, or wilful obstinacy of the said mayor and sergeants.

“ Item : The mayor shall yearly keep a court in the said borough, from three weeks to three weeks, as of ancient times they have been accustomed, called the borough-court, and the said Earl and his heirs shall have the profits of the same courts, and the sergeants shall have the warning thereof, by the commandment of the mayor, according to the ancient customs of the said borough, or town.

Signed,

“ Thomas Gawdy.”

“ Richard Lewkner.”

“ Robert Clark.”

“ Robert Coke.”^b

The present corporation.

Of these articles the last, through the negligence of the officers, and the supineness of the inhabitants, has latterly fallen into disuse ; and the facilities, therefore, which the borough-court formerly offered for the recovery of small debts, are, for the present at least, entirely withdrawn. In its other points, however, the decision of the judges still continues to be obeyed. The lawday, or leet, is invariably held on the day which it ordains : and the nomination of the jury, and the

tainly exercised, as the reader has already seen, from a period long anterior to the reign of Edward the first : yet, singularly enough, it is neither mentioned in the information of the attorney-general, nor claimed in the plea of the mayor and burgesses.

^a This, however, is in obedience to a written precept from the steward of the leet, informing the mayor that a court will be held on the prescribed day, and requiring him to summon the inhabitants accordingly. Proceedings in the case of the King *v.* Holmes, at Norf. H. Sussex, Sundries, Box 9.

^b MS. copy, penes me.

appointment of the mayor, have always, with the exception of some few occasions, been regulated by its provisions. The mayor is the returning officer at all elections for the borough, and his magisterial authority, which is prescriptive, is, of course, limited by the prescriptions recognised in the patent of Elizabeth. His powers, except as relates to the borough-court, at which he presides for the lord, may, not inaptly, be described as resembling those of a high constable. Generally speaking, he can neither arrest for the breach, nor take surety for the preservation, of the peace. He has no authority to issue warrants for the apprehension of malefactors, to convene, examine, or commit offenders, to allow rates, or to exercise any of the peculiar functions of a justice of the peace:^a and though attempts have occasionally been made to assert a wider jurisdiction, by examining, and, in some instances, even committing, delinquents, it is certain that such assumptions were beyond the prescriptive privileges of the office, and that the acts themselves were illegal, and might have been annulled. Yet, if the mayor is thus excluded from the authority of the magistracy, he is, at least, invested with those powers, which various statutes have conferred upon all presiding members of municipal corporations. Like the ancient conservators of the peace, or

^a “The mayor is no other than the returning officer at an election, and holds a three weeks’ court; but never acts as a justice of the peace during the year that he is mayor.” Copy of Letter from Richard Holmes, Jun., at Norf. H.—Sussex, Sundries, Box 9.—Chief Justice Holt says, that “though a man be a mayor, it doth not follow that he is a justice of the peace, for *that must be a particular grant in the charter.*” Lord Raymond’s Reports, 1030.

the constable of the vill at the present day, it is not improbable that he may arrest offenders for any violation of the peace *committed in his own presence*, and may detain them until they find surety for their appearance at the sessions.^a In addition to his jurisdiction over the assize of bread and ale, which he derives from the statutes, he is authorized to convict all persons either adulterating the former, or unlawfully selling the latter; to seize all bread deficient in weight or quality, and to levy the penalties of the act, either by distress or otherwise, upon all unlicensed venders of malt liquor. His duty further requires him to enforce the laws against gaming, drunkenness, profane swearing, and sabbath-breaking: to punish hedge-breakers, and persons committing depredations in orchards, corn-fields, and other such places: to determine all matters relating to servants and apprentices; and to attend to various other important trusts confided to him, in common with all similar officers, by the legislature. The neglect of several of these obligations is punishable by fines awarded in the statutes.^b

Besides the mayor, the corporation, according to a general belief founded on the ancient usage of the borough, should consist of twelve burgesses: but, as the patent of Elizabeth fixes no limitation, it has been contended by the members of the body, that they are empowered either to extend or diminish their aggregate indefinitely;^c and they have frequently, therefore, availed

^a Burn, III. 5.

^b See Tomlins, in voce '*Mayor*,' and the statutes cited by him.

^c Affidavits of Edw. Blaxton, Geo. Moore, and others, in the case of "the King v. Holmes," at Norf. H.—Sussex, Sundries, Box 9.

themselves of this supposed right, not to enlarge, but to lessen, the original number. They are now eleven, in addition to the mayor. All elections of burgesses are made by the existing body: each new member, on his admission, pays an entrance-fee of one hundred pounds; and this money, divided into equal portions, has generally been shared among the electors. The corporation possesses a common seal, and three maces of silver gilt, whereof the most ancient is engraved with the arms of Fitzalan, quartering Clun and Maltravers, within the Garter, and was, probably, the gift of Henry Fitzalan, the last Earl of that family. Their revenues, which amount to the average sum of about Its revenues. £208. per annum, are derived from the port-dues, and the tolls collected in the markets; from the rent of three cottages near the western entrance of the town; and from the profits of about one hundred acres of meadow-land, called the “Burgesses’ Brooks,” which lie on the east, or south-east, side of the town, beneath the Castle.^a

^a The following document, printed exactly from the original in the handwriting of Mr. William Holmes, of Brookfield, will shew in what manner one part of these revenues has, for some years, been expended.

“Arundel Borough.—At the house of Thomas Shaft Esquire on the 3d day of October 1818, on a meeting of the said Thomas Shaft Esquire mayor of the borough of Arundel and of the burgesses of the said borough then and there assembled in pursuance of a requisition (*sic*) from the said mayor to the said burgesses to assemble at this time and place on the subject of these resolutions.

“It was resolved that a requisition be made to the steward of his Grace the Duke of Norfolk at the coming court-leet for this borough to hold, in future, the said court-leet at ten o’clock in the morning and to adjourn for the election of mayor at two o’clock in the same

The Bur-
gesses'
Brooks.

This land is held solely by a prescription, which now extends beyond the memory of man: by what means it was originally obtained, is a matter of simple, but not

day and thereafter to expedite the business of the court as soon as may and can be; that all the business thereat may be compleated (*sic*) before the close of the day.

“ That, in future, in case the last request be complied (*sic*) with the mayor of Arundel do out of his own monies, pay the following necessary expenditures, namely,

	£.	s.	d.
The serjeant's wages besides their cloaks	4	0	0
To the keeper of the park when the buck is presented	1	1	0
To women when they strew (<i>anglice</i> , pelt) the new mayor	1	0	0
To ringers when they ring on the election of a new mayor	1	0	0
To carriers when the new mayor is carried	1	0	0

“ To the inhabitants 10s. of beer at each public house, except the house where the mayor and jury dine on that day.

“ Four handsome dinners during the year, the three first being to the burgesses and officers of the corporation (except deputy officers) and the last being on mayor chusing (*sic*) day and including the jury on that day, and not exceeding seven other persons, *if any such should be deemed proper to be invited*, by the mayor.

“ It is ordered that in future the annual settlement of the mayor's rents and accounts be made on the second Friday in January in every year; the mayor providing the usual supper on the occasion, and that after the next settlement in January next, (when a debt due for the repairs of the church and a gratuitous contrabution (*sic*) by the corporation for an organ in the church is to be paid) the mayor be paid out of the funds of the corporation the sum of one hundred pounds and that he be also entitled to receive all the key dues and other river dues due to the mayor and corporation during the year of his serving the office of mayor.

“ That the annual buck dinner be continued at the expence of the corporation and that each member of the corporation be at liberty to

unfounded, conjecture. At the period when queen Adeliza established the priory of Calceto, it was evidently an open pasture belonging to the Castle, in which the inhabitants of the town, then denominated burgesses, were permitted to feed a certain number of cattle. The reader will remember the grant, by which William de Albini, the surviving husband of Adeliza, extended this permission to the monks of Calceto. In that instrument, he expressly styles the land "*my meadow*;" he speaks of the inhabitants as "*my burgesses*;" and he, for the first time, associates the religious with those inhabitants in the enjoyment of the same advantage which the latter already possessed.^a In this manner the land in question must undoubtedly have been occupied until the reign of Henry the eighth; the monks, in return for their new indulgence, charging themselves with the repairs of the bridge, and the inhabitants, or those amongst them whose circumstances enabled them to avail themselves of the privilege, probably paying to the lord some trifling sum, as an acknowledgment of his controul over the property. To collect this money the corporation, as the officers of the Earl, would naturally be employed: it is not unlikely that they would engage to "farm" the proceeds, at a fixed

invite one friend thereat and the mayor six friends including the Duke of Norfolk (*sic*) stewards and the clergyman.

Signed

"Tho. ^s Shaft, mayor."	"Jn. ^o Tompkins."	"Edw. ^d Wardroper."
"W. ^m Holmes."	"R. ^d Holmes."	"J. Hopkins."
"J. Byass."	"W. ^m Olliver."	

^a "Insuper do et concedo eidem Willielmo, et successoribus suis, *pasturam communem cum burgensibus meis, in prato meo de Arundell, pro quatuordecim vaccis,*" &c. Dugd. Monast. II. 143.

amount of rent; and thus, in addition to their general interest, as inhabitants, they would acquire a special right, as mesne tenants of the land.^a The existence, until a recent period, of an ancient officer, called the "brook-warden," whose duty it was to receive a certain sum for each head of cattle turned out to pasture by the inhabitants, and to pay the same over to the mayor, offers a strong confirmation of this hypothesis.

But the dissolution of the priory, and the removal of the monks of Calceto, in 1524, effected a change in one part of the property, which eventually assisted to produce a revolution in the whole nature and objects of the tenure. The care of the bridge, which, till that period, had belonged to the religious, was now transferred to the corporation,^b and with it, of course, so long as that body continued to discharge the obligations attached to the property, the right of the religious to common pasture in the brooks. Thus, another and a separate interest in these lands was acquired by the corporation. At the same period, also, the name of "burgesses," which had originally designated the inhabitants generally,^c began to be exclusively applied to the members of the corporate body. As the distinctive appellation became established, the privileges, formerly shared by the many, would be gradually brought to

^a Due "from the maior and burgesses, for the *ferm* of the burgesses' brooks, per annum xiiis. iiid." MS. Survey, an. 1570, at Norf. H. Sussex, Sundries, Box 9.

^b See account of the bridge, post.

^c See Stat. 5 Ric. 2. St. 2. cap. 4, where the "burgess," as the inhabitant of a borough, is distinguished from the "citizein de citée," or inhabitant of a city.

centre in the few; and, looking, therefore, at all the circumstances, it is not unnatural to conclude, that the land, which had always been known as the “burgesses’ brooks,” would at length be appropriated by those, from whom it might now be supposed to have derived its name. By the year 1570, it had assumed the character of a freehold. The declining years of the existing Earl, and the frequent transfers of the Castle, shortly after, afforded abundant facilities for the establishment of such a change: and the rent, which then for the first time appears among the quit rents of the Manor, as payable by the corporation, was not without its effect in rendering the change permanent. Still, however, the right of pasture, possessed by the vicar, continued to be exercised. The reader has seen that, so late as the year 1663, it was specified and asserted in the terrier: nor was it until the middle of the last century, that the neglect, or the indifference of the incumbents left the inhabitants to struggle unavailingly, during a few more years, for the interest which they yet maintained in one part of the meadows, corruptly denominated “the mayor’s slype.” At length, however, this, to which, on payment of a fee, they had been constantly admitted, was closed against them; and the whole property, divided into thirteen allotments, was, about the year 1768, appropriated to the sole benefit of the corporation. It is now usually let, at a comparatively low rent, to the several members of the municipal body.

As a parliamentary borough, the claims of Arundel are founded only on prescription: but it is a prescription as old as the time of Edward I., from the early part of whose reign it was privileged to return two re-

Parliamentary Privileges.

presentatives. The constituency formerly comprised all persons paying scot and lot within the borough, who had been twice rated in the parish books, and had received no parochial allowance, for six months previous to the poll. The late "Reform Bill," however, has made a material alteration in the nature and extent of the franchise; and the town is now permitted to return but one burgess to parliament. If this restriction succeed in repressing, or diminishing the corruption which has hitherto distinguished the elections for this borough, the honest portion of the community will, at least, have reason to rejoice at the change: whilst the electors themselves, entering, as it were, on a new state of political existence, have now an opportunity of redeeming their past errors, and offering the integrity of their future conduct, as a veil to be drawn over the delinquencies of former years.

The Town.

The Town of Arundel, at the period of the Domesday survey, seems not to have contained more than seventeen houses, and those, probably, if we may judge from the term "*haga*" employed to designate them, of a very inferior description. Before the death of Henry III., however, its extent had considerably encreased;^a and, during the reign of his successor, its importance continued to advance with so much rapidity, that it was, at length, deemed expedient to provide for its security, by the erection of a defensive enclosure. On the east and south sides, indeed, nature had already effected all that was necessary for this purpose, in the steep acclivity of the one, and the river which formed the boundary of the other: but, on the north and west, its position was

^a Esch. 56 Hen. 3.

not equally strong; and the ditches, which constituted the outworks of the Castle, afforded its only chance of protection against the incursions of an enemy from those points. To remedy this defect, Richard, first Earl of Arundel of that name, resolved to fortify it, on the exposed sides, with a strong wall: and a patent, obtained in June, 1295, in aid of his undertaking, authorized him to continue, during the space of ten years then next ensuing, to levy a tax on all corn, cattle, skins, meat, wool, hemp, silk, linen and woollen cloths, and other articles of merchandise entering the town, and to apply the produce in liquidation of his expenses.^a The wall commenced on the edge of the moat which surrounds what is now distinguished as the "Castle Gardens." Thence it proceeded along the inner side of the west ditch, to the entrance yet known as that of "Mary-Gate;" and, still following the direction of the fosse, at the distance of about two hundred yards farther west, suddenly swept round towards the south, descended the hill since denominated "Poor-house Hill," and, pursuing its course to the banks of the river, completed the enclosure of the town. Of the two gates by which egress was obtained, that on the west, near the foot of the acclivity, has long since disappeared. The other, however, called "Mary-Gate," on the north, still exists; and has already been mentioned in conjunction with the chapel which it formerly contained. It is a square embattled structure of flints, with chambers in each of

It is protected by walls.

^a Pat. 23 Ed. 1. m. 13. The corporation, of course, as the officers of the earl, were employed to collect these tolls at each of the gates; a circumstance of which they appear to have subsequently availed themselves, to claim "the entrances" as their own property.

the towers, and an arched entrance, in the pointed style, protected by a double portcullis. A low obtusely pointed arch, on each side beneath the gateway, gives admission



St. Mary's Gate. Arundel.

to the apartments on the ground floor; and a steep flight of steps, now greatly dilapidated, on the south side of the west tower, forms the only approach to what was originally the chapel. In a line with this building, at the point where the western ditch formerly entered the great moat, and situated on the extreme edge of the latter, a detached portion of the ancient walls may still be seen.

It continues to encrease.

At what period these fortifications were finished does not appear. The town, however, continued to encrease

in houses and population; and, in less than thirty years from the death of Henry III., had more than doubled the amount of rent previously payable to the lord. From the escheat roll of 1272 (56 Henry III.) it appears, that the revenue then derived by the Earl from houses held in burgage, within the borough, was only £4. 13s. 4d.: in 1302, this had swollen to the sum of £9. 6s. 5d.; and was further encreased by an addition of twenty shillings, received from certain shops, or stalls, then lately erected. At that time, the number of houses was ninety-four, that of stalls, or shops, thirty-eight; in all, one hundred and thirty-two:^a and it is not improbable that these would still have continued to multiply even more rapidly, had not a conflagration intervened, to frustrate the labours, and arrest the enterprising spirit, of the inhabitants. That disastrous event occurred in the year 1338. By it, one half of the existing buildings were reduced to ashes, and the property of a large portion of the burgesses was utterly destroyed. Application, however, was instantly made to the government for assistance: the taxes for that year, consisting of tenths and fifteenths, were accordingly remitted; and the town, rising from its ruins, was speedily enabled to resume its trade, and boast of its enlarged importance.^b In little more than forty years from this period, all the principal parts of the present town were already in existence.

Of the damage sustained by the buildings, during the parliamentary wars, no detailed accounts have been transmitted to us. That many of the houses were injured, and some entirely destroyed, by the royal forces,

Injury
during the
siege in
1643.

^a Esch. 30 Ed. 1. N^o. 30.

^b Claus. 12 Ed. 3. p. 2. m. 18.

in 1643, is certain: whilst the inhabitants, exposed alternately to the ravages of each of the contending parties, were doomed to see their homes pillaged, their property laid waste, and themselves driven from the shelter of their dwellings, to seek an uncertain refuge wherever it might offer. It was not until 1645, the year after the Castle had fallen into the hands of the parliament, that any measures were adopted for the repair of these injuries. At length, however, a committee, appointed to enquire into the subject, assembled at Billingshurst; and the following petition, accompanied by a list of claims, was presented to it, on the part of the inhabitants.

“ To the honerable com̃tee for the Rape of Arundell, sitting at Billingshurst. The humble petition of the well affected p’sons in the burrough of Arundell

“ Humblie sheweth

“ That which your eyes have heretofore seene, and your eares heard, the sad and distressed estate of us, the poore, plundered, robed, and spoyled inhabitants of the said burrough, whoe were driven by the king’s forces from house and habitation, to secure our lives, and, in our absence, robed and spoyled of all outward comforts to mayntayne a livelyhood; some of our houses being burnte, and others made stables of, and some pulled downe, and all our goods imbeasled, and taken away, to our great impoverishinge; insomuch that, unto this day, divers owe greate sumes of money, and are not able to pay them, and others broughte very low, which hath inforced us to take hold of the unparraleled love and care of the honorable houses of parliament, in p̃vidinge an ordinance for our repayre.

“ Now our humble sute unto your honours is, that you would bee pleased * * * * to certifie or represent this our said condition to the honorable houses of parliament, from whome, next under God, wee can have hopes of redress, and by your helpe hope of access; for the better effectinge whereof wee have severall times mett, and chosen

out eighte of the most able and knowne persons, to examine the severall bills brought in of losses, and to accepte of what should appeare to be lost, either by wittness, or apparent to their knowledge or judgment, who exactlie examined the same ; so that there is much less in this bill (hereunto annexed) than did really appeare to bee lost, * * * * * the which if your honours shall be pleased to certifie accordinglie, we shall bee bound for ever to pray," &c.

Signed " Nethaniall Older, Mayor," and eleven others.

The list of claimants annexed to this petition contained the names of thirty-eight individuals, and the whole amount of compensation demanded was £3772. 7s. 6d., of which £950. was awarded to James Hugget ; £600. to John Albery ; £536. to James Morris ; £276. to Thomas Greenfield ; £260. to Alice Charman ; and various smaller sums to the remaining parties.^a The town was now again restored to its ancient form, in which, with some additions on the west and north-west, it has since continued. It contains three principal streets, whereof one, called the " High Street," forms the eastern boundary of the borough, and runs from the bridge northward, up the acclivity on which the town is situated, to the church : the others,—the lower named " Tarrant Street," the upper " Maltravers," and formerly " Old Chepyng Street,"—diverge at right angles from it, and, proceeding to the western extremity of the town, unite at the entrance of the Chichester and Portsmouth road. Between these, and near the point of junction, stands the Free-School, a plain substantial building of Plymouth rock, erected by the late Duke of Norfolk, and affording accommodation for the instruction of about three hundred poor children of both sexes. The funds are supplied by subscription.

It is repaired.

^a Copy of a paper in the corporation chest, penes me.

The Bridge. A bridge over the Arun, situated a short distance below the present structure, is known to have existed in the middle of the twelfth century: but by whom it was erected, or by whom the road, called the causeway, which communicated with it over the low grounds, was formed, is utterly unknown. It is first mentioned in the charter of queen Adeliza to the monks of Calceto, and appears from that document to have been a wooden building, the custody and maintenance of which belonged, of course, to the castle. By Adeliza, however, this duty was transferred to the inhabitants of the new priory: a grant of lands for their own support, and an annual allowance of timber for the repairs of the bridge, were attached to it; and the religious continued, until the suppression of their establishment, to act in the acknowledged capacity of bridge-wardens.^a But the dissolution of the priory rendered it necessary to select some other permanent body, to whom the execution of this important trust might be delegated; and the corporation of Arundel, which, as the reader will remember, succeeded to a portion of the monastic property, seems also to have been chosen to succeed the monks in the constant superintendence of the bridge. Since that period, the mayor for the time being, as the representative of the body over which he presides, has invariably performed the office of bridge-warden. To his discretion the repairs and alterations of the edifice have, on all occasions, been entrusted; and the charges incurred by him in the prosecution of these necessary objects have been

^a See page 683 of this history. The rolls constantly style the monks "bridge-wardens." Pat. 19 Ed. 3. p. 2. m. 2. Claus. ejusd. an. p. 1. m. 2. &c.

defrayed, until a recent date, partly by voluntary subscription, and partly by a rent-charge of £2. 3s. 0*d.* reserved for this purpose on two tenements in the town. That the corporation, indeed, having obtained the power and the property, would also have been subject to the obligations, of the former guardians of the bridge, might not unnaturally have been expected. It is impossible that a valuable interest, added to an uncontrolled and irresponsible authority, should have been vested in a public body for the sole end of corporate aggrandizement: and, setting aside the fact, therefore, that no bridge-tax has ever been allowed by the magistrates, there is abundant reason to believe that to the possession of the monastic right of pasturage in the "brooks," was originally attached the condition, on which it had hitherto been held, of upholding and repairing the structure, at the sole expense of the possessors.^a But this condition seems long since to have been disregarded. In the civil convulsions of the seventeenth century, frequent opportunities for its evasion would necessarily arise; and almost two hundred years have now certainly elapsed since the inhabitants are first known to have acquiesced in its violation. The funds for repairing the bridge are, at present, drawn from the reserved rent

^a That this is the opinion also of the corporation themselves, may be inferred from the fact, that, when I lately applied to Mr. W. Holmes, then mayor, for leave to inspect the old bridge-warden's book, he informed me, in substance, that he was unable to read the first twelve pages of it; that those pages might contain matter affecting the corporation property in the brooks; and that, until he could read them, no one should see the document in question.

above mentioned, and, in the event of any deficiency in that source, from *the poor's rates of the parish*.^a

The first alteration effected in the bridge, after its consignment to the care of its present guardians, was in the year 1593, when, in consequence of the state of ruinous neglect in which it had long been suffered to remain, it became necessary to expend the sum of £55. 1s. 1d. in its repair. To relieve themselves from this charge, the corporation seem, in the first instance, to have applied to the magistrates for a rate. But the latter refused to sanction such a proceeding. They thought that to impose a burthen on the town, which had hitherto been borne by a separate body, were unjust; and, though the agents of the mayor were employed in all directions, “riding from justice to justice,” to accomplish the object in view, still the magistracy of the county resolutely rejected the proposed tax, and the corporation were compelled to seek assistance in another quarter. A subscription was now proposed: a collection of £48. 5s. 1½d., in the three rapes of Chichester, Arundel, and Bramber, was made; and the repairs of the bridge were at length completed.^b In less than fifty years, however, the safety of the work had grown so questionable that it was deemed advisable to remove it; and another rate on the inha-

^a Answer of W. Holmes, J. Hopkins, and J. C. Tompkins, in the cause of “Henty *versus* Hopkins and others,” lately decided against the defendants in chancery. No reason, however, is assigned by the parties, to shew the legality of seeking, in the poor's rates, that indemnification for the deficiencies of the bridge fund, for which the magistrates have always refused to sanction a separate tax.

^b Copy of two papers in the corporation chest, penes me. The sum subscribed in the town, on this occasion, was £1. 4s. 10d.

bitants, to be appropriated to the erection of a new structure, was consequently prepared, and presented to the justices at the quarter sessions, held in January, 1643. But this application was not more successful than the former: and the corporation, again thrown upon their own resources, resolved to appeal once more to the whole neighbourhood for a subscription. The circular, sent on this occasion to the parish of Lyminster, is still preserved. After mentioning the refusal of the justices to confirm the rate which they had prepared, "for the re-edifying of Arundel bridge," they proceed to state their own efforts to meet the expenses of the work. They have contributed, they say, "to the utmost of their abilities, divers giving £10., £8., £6., £5., a man: yet, the charge amounting unto £260., besides the hundred loads of timber given by the Earl of Arundel," they feel that they are unable to raise it amongst themselves, and are, therefore, constrained to apply for aid to the liberality of their neighbours. The work, they add, is already "in great forwardness:" its completion will confer a general benefit on the adjacent country; and it is impossible, therefore, to doubt "but that every well minded person will be ready to extend his free and liberal contribution towards it."^a This appeal produced, at Lyminster, the sum of two pounds and sixpence: the other adjoining parishes, at first, probably, subscribed in similar proportion; and the work impeded in its progress, partly by a want of money, and partly by the siege which took place a few months later, was not finished until the year 1646. Among the donations of the inhabitants, which, in 1643, amounted

^a Lyminster church-wardens' book.

to about £100., there appear “ a fat cow, a fat calf, a fat sheep, and a barrel of strong beer,” given by William Bennet, “ for the rebuilding of Arundel bridge.”^a

This bridge, like its predecessors, was constructed of wood: like them also, it was not destined to boast of any superior durability. In little more than seventy years from the period of its erection, it was found necessary to remove it: and, in 1724, it was superseded by the present building, raised at the joint expense of the Duke of Norfolk, and the Honourable James Lumley. It is of stone, supplied by the former from the ruins of the adjoining hospital, and consists of three arches, the middle one having a span of forty-two feet.^b In its original state, however, the bridge, from the narrowness of the road over it, formed but a dangerous communication for carriages between the opposite sides of the river: but this defect has lately been remedied, and an ingenious and elegant contrivance has added the space, formerly occupied by the parapets, to the carriage way, and suspended a spacious foot-path on each side.

The Port.

The Port of Arundel was certainly unknown before the conquest. It is first mentioned in Domesday, where it is valued jointly with the borough; but it is carefully distinguished in that record from what existed in the

^a Memorandum, penes me, extracted, many years since, from the bridge-warden's book. This book commences in 1593.

^b A stone fixed originally over the middle arch, but now in one of the buttresses of the bridge, records, in somewhat ambiguous latin, the name of the important personage, Edward Blaxton, in whose mayoralty the edifice was erected: but it makes no allusion to either of the noble persons, to whose munificence the town is indebted for the structure.

time of the Confessor, and is numbered among the subsequent additions to the importance of the town. Since that period, various improvements have, at different times, been made in the navigation of the river. Henry Fitzalan, Earl of Arundel, in the reign of Elizabeth, is known to have cleared and widened its channel from Arundel to the sea, and to have altered the lower part of its course, for the purpose of forming a more convenient entrance. In 1733, an act of parliament was obtained for erecting a pier at Little Hampton: in 1798, another passed, for its repair and improvement: and by these and other means the river has been rendered navigable, as far as Arundel Bridge, for vessels of more than two hundred tons burthen. A canal, formed under the act of the 53^d of George III., and connecting the Arun with the river Wey, completes the inland communication between Arundel and London, by water.

In 1817, Arundel was erected, by the lords commissioners of the treasury, into a bonding port: but an encreasing trade would scarcely seem to have been the effect of this extension of its privileges. The following returns, for the years 1821 and 1831, are taken from the custom-house books.

Years.	No. of Ships outward bound.	No. of Ships inward bound.	Total.	Tonnage of Ships outward bound.	Tonnage of Ships inward bound.	Total.
1821.	220,	231,	451.	18321,	19978,	38299.
1831.	121,	237,	354.	9725,	20715,	30440.

In the year 1821, there were forty-five ships belonging to the port, whose aggregate tonnage amounted to 4212 tons: in 1831, the number of vessels was reduced to thirty-three; the aggregate tonnage to 3001 tons.

In 1821, the IMPORTS were as follows:—Balk Timber,

133 pieces : Deals, Deal ends, &c. 5345 : Slab-boards, 100 : Masts, Spars, and Oars, 70 : Turkeys, 2 : Pears, 1 bushel : Apples, 100 bushels : Eggs, 4000. The EXPORTS were, Oak Timber, Plank, and Treenails, 33 loads : with Ships' provisions.

In 1831, the IMPORTS were,—Balk Timber, 281 pieces : Deals, Deal ends, Battens, Staves, &c. 12031 : Masts, Spars, and Oars, 45 : Lathwood, 60 pieces : Tar, 29 barrels : Cheeses, 14000 : Brandy, 254 casks. The EXPORTS consisted of Ships' provisions only.

POPULATION.

1811. Males 1011 : Females 1177 : Total 2188. Houses 404.

1821. Males 1175 : Females 1336 : Total 2511. Houses 460.

1831. Males 1337 : Females 1466 : Total 2803. Houses 537.

In 1821, the Poor-rates were £1302. 11*s.* 6*d.* : in 1831, they amounted to £1631. 19*s.* 10*d.*

The water-
bailiff.

Connected immediately with the river was the ancient, and once important officer, the water-bailiff. His duty was, to protect the fishery and the swans, to guard the former from depredation, and to regulate the peculiar marks in the latter, by which the property of the several owners might be identified. The following document relative to this subject has been printed by Mr. Dallaway from a MS., said to have been formerly in the castle.

“ The office of water-bailiff belonging to the honour of Arundel, from the MS. of Laurence Elliot, Esq. water-bailiff, in 1713.

“ For fishermen, beadles, and under bailiffs of the river Arun. 1°. To attend to the fish, and to be well acquainted with the number of swans and their sieges, lest the eggs grow cold, and so become naught, by any sudden rising of the river. 2°. To give notice to the bailiff of all shooting with guns, by reason of which the swans and fowls

are frayed out of their haunts, and many times killed. 3°. To attend on the water-bailiff, on the swan-hopping day,^a to mark the cygnets.

“ Meshes of nets to be sized according to a pin sometime kept in Arundel Castle, i. e. an inch and a half from knott to knott tyed out. The property of the swans to be ascertained by the water-bailiff. Item, if any swan be marked in my Lord of Arundel's marke, or if any swan fly, or be wild, and may be regained alive, it ought to be marked with my Lord's marke.”

Of the property asserted in Domesday to have belonged to the Castle in the time of the Confessor, the most valuable was evidently the Mill. Forming, as they did, one of the essential parts of a feudal manor, mills, indeed, appear, from a very early period, to have been the source of considerable emolument to their owners: and the privileges with which they were invested, no less than the jealousy with which they were invariably guarded, afford sufficient evidence of the importance attached to their possession. At Arundel, this species of property was not considered of less consequence than in other manors. It is first mentioned in Domesday, where the annual profits of the existing mill are estimated at forty shillings. In the subsequent records of the Castle, the same entry always occurs, but generally with an encreasing value: till, in the year 1272, the rental received by the lord seems to have amounted to the sum of ten marks, besides fifteen quarters of wheat and the same quantity of barley payable to the prior of Arundel, ten quarters of wheat and ten of barley to a person named Elstry, and £9. 8s. 0d. in money to the female lepers of the parish.^b In 1274, four mills are

Swan-
bourne
Mill.

^a A corruption of the term “*swan-upping*,” which signifies the taking up of the swans or cygnets, for the purpose of marking them.

^b Esch. 56 Henry 3. The person named Elstry was, probably, the chaplain of the Castle: for, in a MS. survey, drawn up about the

known to have existed as the mills of Swanbourne;^a and an anecdote, recorded only five years later, will give the reader some idea of the jealousy with which their interests were watched. A person named John de Polingfold had established a wind-mill at Lyminster; but he had neglected to obtain the previous license of the Earl of Arundel, and, as the mills of Swanbourne were likely to suffer from the encroachment, complaints were speedily made, and Polingfold was ordered to remove the building. Polingfold, however, was not disposed to obey the mandate, and the question was, in consequence, referred to the decision of a jury. On enquiry, it turned out that Polingfold was in error. From the immemorial usages of the country, it was ascertained, that no mill could be erected in or near Arundel without the consent of the lord: and the mill in dispute, therefore, which had thus been unlawfully established, was forthwith ordered to be demolished. Polingfold himself was subjected to a considerable fine.^b

In February, 1560, “the water milne called Swanburne milne, also Arundell mill, and the mill-pond
“and baie thereunto adioyning, and one croft of ground
“cont’ by estima^c halfe an acre, adioyning to the south
“syde of the said mill,” were leased, for seventeen years, to John Fenne, at an annual rent of £31.^c

year 1300, the following notice occurs:—“Et sunt ibi molendina de Swanebourne, quæ reddunt priori de Arundell, leprosis, et *capellanis Castri Arundell*, quantum valent.” f. 1.—This survey, which formerly belonged to the Royal Society, is now the property of the Duke of Norfolk.

^a “Extenta duarum partium quatuor molendinorum aquaticorum, cum pertinentiis, in Swanebourne.” Esch. 2 Ed. 1.

^b Plac. Assis. in com. Sussex, 7 Ed. 1. rot. 33.

^c MS. survey, 1572, at Norf. H.

Of the Swanbourne mills only one remains at the present day. It is situated beneath the Castle, on the east side, at the head of the stream by which the ancient "Swanbourne Lake" discharges itself into the river: and, most probably, occupies the site of the original building mentioned in Domesday. Perhaps, of all the beautiful spots in the neighbourhood of Arundel, none comprises more real beauty than this. The valley in front, shaded by the willows and ash which adorn the little islands of the lake, and winding its way in the distance amongst the hills; the Castle projecting boldly from the eminence on the left, and seeming as if suspended between earth and heaven; the steep acclivities on each hand, clothed to their summit with luxuriant forest trees, or exposing at intervals the wild and rugged surface of the rock; these, with the stillness of the place, unbroken save by the voice of the coot, or the splash of the moor-hen returning to her haunt, present a scene with which the feelings of the heart will most readily unite,—in whose presence the lapse of centuries will be easily forgotten, and the mind, hastening back to the age of the Confessor, will muse on the lake and the stream as they existed then, and fancy itself beside the mill which was at work nearly eight hundred years ago.

Additional note to page 312.

The New Forest still preserves an interesting memorial of the wardenship of Thomas, lord Maltravers. It is the church of Brockenhurst, which, there is reason to believe, was rebuilt under his auspices, and, probably, at his expense. With the single exception of the principal door-way, which is Norman, the architecture of the building is wholly in the style that prevailed at the end of the fifteenth century. In the south side, near the entrance, is an original square-headed window, with a corresponding canopy, or weather-moulding, springing, at either extremity, from a corbel head, and bearing, in the middle, over the window, a shield adorned with the arms of Fitzalan and Maltravers quarterly. The heads are carved with much spirit; and are distinguished by the peculiar cap, which Vertue's print of Henry the seventh has rendered familiar to the world. Is it improbable that one, at least, is a likeness of the lord warden himself?

APPENDIX,

No. I.

[The following valuation of the several members of the Honour, which occurs in a MS. at the Heralds' College (Norf. Press, N^o. 33. f. 244.), is taken from the Close Roll of the sixteenth year of Henry VIII. In it, the reader will, perhaps, scarcely recognise Mr. Dallaway's copy of the same document, printed in a note to his History of the Rape of Arundel, p. 152. N. Ed.]

Villa de Arundell, cum ffirm̃ redd' mo- lendinoꝝ, et agisto parcoꝝ ibid̃ val̃ per añ	xli ^{li} . xiii ^s . iii ^d .
Mañ de Offam, cum reddit' et ffirm̃, val̃ per añ	xi ^{li} . xvii ^s . vii ^d .
Mañ de Northstok, cum reddit' et ffirm̃, val̃ per añ	xviii ^{li} . iii ^s . vi ^d .
Mañ de Wepham, cum reddit' et ffirm̃, val̃ per añ	xi ^{li} . ix ^s . ix ^d .
Mañ de Storiton, cum reddit' et ffirm̃, val̃ per añ	xxi ^{li} . xxi ^d . ob.
Mañ de Polyng, cum reddit' et ffirm̃, val̃ per añ	xvi ^{li} . ix ^s . quad.
Mañ de Wonworth, cum reddit' et ffirm̃, val̃ per añ	xvi ^{li} . v ^s . viii ^d . ob. q.
Mañ de Upmerdon, cum reddit' et ffirm̃, val̃ per añ	viii ^{li} . xii ^s . ii ^d .
Mañ de Beggenur, cum reddit' et ffirm̃, val̃ per añ	xliiii ^{li} . iii ^s . viii ^d . ob. q.
Mañ de Palingham, cum reddit' et ffirm̃, ac agisto parci de Shelinglee, val̃ per añ	xxvi ^{li} . xii ^s . iii ^d .
Mañ de Cockynge, cum redd' et ffirm̃, val̃ per añ	xxvii ^{li} . ii ^s . ob. q.

Mañ de Preston, cum redd' et ffirm̃, val̃ per añ	vi ^{li} .	xix ^s .	ii ^d .
Mañ de Pynchurst et Lez valent per añ	xxi ^{li} .	viii ^s .	v ^d . ob.
Mañ de Boorne val̃ per añ in reddit' et ffirm̃,	liii ^{li} .	xiii ^s .	x ^d . q.
Hund̃ de Boorne in ffiñ lib̃or sect cōibus annis		xxviii ^s .	viii ^d .
Mañ de Wodmancote, cum reddit' et ffirm̃, val̃ per añ	viii ^{li} .	vii ^s .	iiii ^d . ob.
Mañ de Singulton, cum warreñ cuni- culor̃, val̃ per añ	lviii ^{li} .	xiii ^s .	iiii ^d .
Maña de Estdeane et Charleton, in redd' et ffirm̃, cum proficuis cuni- culor̃, val̃ per añ	xxxiiii ^{li} .		xiiii ^d . ob.
Hund̃ de Syngleton, in certitud̃ et ffiñ terr̃, val̃ per añ		xii ^s .	vi ^d .
Hund̃ de Pollyng, in certitud̃ et ffiñ terr̃, val̃ per añ	iiii ^{li} .	x ^s .	i ^d .
Hund̃ de Bury et Estbright, cum redd' et ffirm̃, val̃ per añ	iiii ^{li} .	vi ^s .	
Hund̃ de Rotherbrege, cum perti- nent', val̃ per añ		lxii ^s .	
Hund̃ de Evesborn, cum pertinent', val̃ per añ		lxiiii ^s .	iiii ^d .
Mañ de Levemynster, cum reddit' et ffirm̃, val̃ per añ	xviii ^{li} .	viii ^s .	
Hund̃ de Box et Stokebrige, cum pertinent', val̃ per añ	vi ^{li} .		x ^d .
Hund̃ de Avesford, cum libert̃ fforest̃, &c. val̃ per añ		ciiii ^s .	iiii ^d .
Mañ de Wollavyngton, cum redd' et ffirm̃, val̃ per añ	xxviii ^{li} .	xii ^s .	iiii ^d .
Mañ de Stansted, cum redd' et ffirm̃ et agisto parci, val̃ per añ	viii ^{li} .	iii ^s .	v ^d .
Mañ de Stopham, cum redd' et ffirm̃, et agisto parci, val̃ per añ	vi ^{li} .	x ^s .	v ^d .
Mañ de Esthampnet, cum redd' et ffirm̃, val̃ per añ	xii ^{li} .	xiii ^s .	viii ^d .

Maña de Bercourt et Wylbrigge, cum redd' et ffirm̃, val̃ per añ .	xiiii ^{li} .	xiiii ^s .	ii ^d . ob.
Mañ de Wolbedyngge, cum redd' et ffirm̃, val̃ per añ	xii ^{li} .	xiiii ^s .	x ^d . ob.
Man de Lynche, cum redd' et ffirm̃, val̃ per añ	xiii ^{li} .	vi ^s .	viii ^d .
Terr̃ et ten ^a in Claylond valent per añ			xl ^s .
Mañ de Cudlowe, cum redd' et ffirm̃, val̃ per añ	x ^{li} .		
Mañ de Overfold, cum redd' et ffirm̃, val̃ per añ	vi ^{li} .		
Mañ de Westhampnet, cum redd' et ffirm̃, val̃ per añ	vi ^{li} .	xiii ^s .	iiii ^d .
Mañ de Old Horsham, cum redd' et ffirm̃, val̃ per añ	x ^{li} .		
Mañ de Almodyngton, cum uno ten ^o in civitat Chichestr' ac redd' et ffirm̃, val̃ per añ	x ^{li} .	xiii ^s .	iiii ^d .
Sum̃a	DCXVI ^{li} .	XV ^s .	IIII ^d . ob. q.

No. II.

[MS. LANSD. XXX. No. 83.]

The inventorie indented taken this xxth day of the moneth of July, in the xxii^d year of the reigne of our soveraigne lady, Elizabeth, queene, made between William Norton, Henry Russell, and Robert Whytney, Commissioners of Philippe, Erle of Arundell, on the one parte, and Thomas Cowper, servante to the said Erle, and yeoman of the Garderobe of the Castle of Arundell, on the other parte.

The Great Hall.—Imprimis, Hangings of sundry auncient stories iii peeces. Item, vi tables upon standing tressels, wth benches next the wall. Item, one paier of great andyrans of yron. Item, hanging of olde stories vi peeces. Item, ii Turkie carpetts for the round

windowe, and one olde one for the other window. Item, one great Turkie foote-carpett under the table, and one uppon the table there. Item, ii Turkie carpetts uppo^r the cubberd. Item, one faire long quishion for the windowe, wth my lord of Arundell his armes imbrodered wth golde and silver. Item, i long quishion of crymson wrought velvett, and one little quishion of the same. Item, one chaire and quishion of blacke velvett, fringed wth blacke and yellowe. Item, one chaire of blewe velvett. Item, ii long tables of firre uppo^r tressels. Item, xvi joined stooles of waynescotte. Item, ii joined formes of oke. Item, i paier of andyrans of brasse. Item, ii cubberds of oke.

The Olde Chappell.—Item, iii peeces of hanginge of sundry olde stories. Item, i joined fourme of oke. Item, ii joined stooles of wainescotte.

The Tower Chambre.—Item, v peeces of hanginge. Item, thre windowe-clothes of greene clothe. Item, i pallet-case of canvas, i fetherbedd and boulster thereto, i covering of parke-worke, i rugge for a blancket. Item, i cubberd of oke. Item, ii lowe stooles of crymson wrought velvett. Item, ii lowe stooles of clothe of bodkyne, wherof one of greene velvett of the same stuffe.

The Lord Lumleyes Chambre.—Item, i peece of hanging of the vii planetts. Item, i olde windowe-clothe of parke-worke. Item, i bedd of crymson taffata, wth v curtyans, and valens thereto, and one counterpointe of the same stuffe, lined wth fustiaⁿ. Item, i fetherbedd and boulster, ii pillowes of tike, i pallet-case of canvas, ii white rugges for blancketts, and one woole bedd of white canvas. Item, i little quishio^r of wrought velvett. Item, i joined stoole. Item, i close-stoole and ii chamb^r pottes.

The Square Chambre.—Item, iii peeces of hangings of okes and white horses. Item, i bedsteede of wallnut-tree, wth tester of crymson velvett imbrodered wth cloth of golde, and v crymson silke curtians wth one counterpoynt of crymson taffeta lined with white fustiaⁿ, to the same. One chier (chair) and two long cushians of the same stuffe to the same bedd. Item, i fetherbedd and boulster, i pillowe, iii rugges, and ii fustiaⁿ blancketts thereto. Item, i pallett bedd uppo^r the floore, i boulster, i covering of verders, and one pallet-case of canvas. Item, one olde cubberd of waynescotte. Item, one carpett of greene clothe for the cubberd. Item, i paier of andirons of iron. Item, i close-stoole, xiii chamb^r pottes.

The Daunsing Chambre.—Item, v peeces of hanginge of imegerye. Item, i great Turkey ffoote-carpett. Item, i chier and long quishion of crimson wrought velvett, and three little quishions of the same stuffe. Item, iii long joined formes of oke, and v joined stooles. Item, ii long tables uppō tressells. Item, i square table uppō tressells, and a greene carpett thereto. Item, i paier of latin andyrons.

The King's Chambre.—Item, hangings of oke leaves and Matravers knotts v peeces. Item, i bedd of oke and pallet-case, i fetherbed and boulster, i pillowe, i wolfe bedd, and ii rugges for blancketts. Item, i sparker, wth double valence of redd and greene taffata, iii curtyans of greene silke, and i quilt thereto. Item, i cubberd of oke, and Turkeye carpett thereto. Item, i chaier of blacke lether. Item, i close-stoole and chamb^r pott.

The Cage Chambre.—Item, hanginge of parke-worke v peeces. Item, i pallet-case of canvas, i fetherbed and boulster, i covering of verders lined wth canvas, i white rugge. Item, i cubberd of oke, and a greene carpett. Item, ii joined formes of oke.

The Gallerye.—Item, viii hangings of greene clothe, bordered wth sarcenett. Item, vi walnut-tree chaiers, wth marke-tree [stoole?]. Item, i square table of marke-tree, wth a frame. Item, i cubberd of walnut-tree. Item, vi joined stooles of walnut-tree. Item, iii chaiers of blacke lether.

The Gallerye Chambre.—Item, hangings of ffynes verders v peeces of smaller fflowers. Item, i bedsteede of wainescott, i sparker of clothe of bawdkyn and imbrodered wth starres, iii curtyans of murrey silke and one quilte of silke, one chaier and quishion of blewe.... clothe, and i quishion of the same. Item, i Turkey carpett for the windowe. Item, i square quishio^r of clothe of goulde and silver for the windowe. Item, i cubberd of oke, and a Turkey carpett for it. Item, i fetherbedd, i boulster, ii woolbedds, ii pillowes, i rugge, and ii fustiaⁿ blancketts. Item, i Turkey ffoote-carpett at the bedds feete. Item, i joined stoole of wainescotte. Item, i fetherbedd, boulster, and i covering of imagerye.
lost by Thomas Cooper

The Percyes Hall.—Item, hangings of smale verders vi peeces of small fflowers. Item, i sparker of small verders wth double valence of fflowers, and iii curtyans of sarcenett, and one very large counterpoint of smale verders wth fflowers and wth armes. Item, i large quilt of olde silke to the same. Item, i fetherbedd and boulster very

large. Item, ii windowe-clothes of greene clothe. Item, i paier of andirons of yron. Item, i joined stoole.

The Percies Chambre.—Item, hangings of auncient stories v peeces. Item, i sparker of clothe of bawdkyn wth curtyans of greene silke, and one covering of the same stufte. Item, i lardge quilte of olde silke, and i counterpointe of greene sarcenett. Item, i bedsteede of bordes, i pallet-case of canvas, ii ruggs for blancketts, i fetherbedd, and i boulster. Item, a windowe-clothe of greene clothe. Item, i cubberd of oke, and a greene clothe for the same. Item, i olde forme, and iii joined stooles.

The Percies Inner Chambre.—Item, hangings of parke-worke and imegerye iii peeces. Item, i bedsteede of bordes, i fetherbedd, i boulster, i rugg, and i covering. Item, i close-stoole, and a chamb^r potte.

Beamounds Tower. (The Keep).—Item, hangings of verders iii peeces. Item, i bedsteede of oke, i fetherbedd, i boulster and rugge for a blanckett, and one canopy and quilt to the same. Item, i peece of verders of clear leaves.

The Chambre in Beamounds Tower above.—Item, i bedd, i boulster, i rugge for a blanckett, and one canopy and covering of greene silke to the same. Item, i cubberd of oke, wth a little greene clothe. ^{sent to London} Item, hangings of greene clothe bordered with sarcenett iiii peeces.

The Receivors Chambre.—Item, hangings of smale verders i peece, and i peece of imagerye. Item, ii bedds, ii boulsters, i tester of silke, paned redd white and blacke, wth one greene silke quilt, olde, and i covering.

The Chambre next the Gate.—Item, hangings of brode leaves v ^{sent to London} peeces. Item, i cubberd of oake, and i Turkey carpett. Item, i greene clothe for the windowe. Item, i bedsteede of wainescotte, wth tester of redd tynsalle, and iii curtians of redd silke and one quilt of silke to the same, i quishio^r of tynsalle. Item, ii fetherbedds, ii boulsters, ii rugges for blancketts, and i covering of verders.

The Upper Chambre o^v the Gate.—Item, hangings of imegerye v peeces. Item, i bedsteede of waynescott, i tester of blewe velvett and clothe of goulde, wth iii short curtians and a quilt of blewe silke, wth one chaire and long cushio^r suteable, i bedd, i boulster, and i rugge. Item, i bedd, i boulster, i rugge, and i covering of course ^{sent to London} imegerye. Item, i cubberd of oke, and i Turkey carpett.

The Chambre at the Hall-End. Item, hangings of the story of king David v peeces. Item, one other peece of the same storie. Item, i bedsteede of oke, i bedd and boulster, i Venice rugge, i olde quilte of silke tawnie, and i olde tester of redd and russett satten. Item, i cubberd of oke, wth a Turkey carpett.

The next Chambre to the Hall-End. Item, hangings of parke-worke and verders v peeces. Item, i bedsteede of oake, i tester of yellowe satten, with i bedd and i boulster, i quilt of redd and yellowe thereto. Item, i bedd, i boulster, i covering of olde imegerie. Item, i cubberd of oke, and a carpett of greene clothe thereto.

(Signed)

William Norton.

Henry Russell.

Robert Whytney.

No. III.

To the right honourable, the lords commissioners appointed by his majesty for hearing and determining claims of services at his majesty's royal coronation.

The petition of the most noble Bernard Edward, Duke of Norfolk, Earl of Arundel and Surrey, &c., Earl Marshal and Hereditary Marshal of England,

Sheweth,

That your petitioner claims that he may be received to serve the king at his coronation, by himself or his proper deputy, in the office of Chief Butler of England, which office is appendant to the Earldom of Arundel, in the same manner as his ancestors, Earls of Arundel, have heretofore done; and to take for his fee the gold basin, with the ewer to the same basin; and to have the best cup in which his majesty shall be served at his dinner; and also the vessels with the wine on the day of the coronation remaining and being under the bar; and also the pots and cups, not being of gold or silver, which shall be in his majesty's wine-cellar after dinner, on the same day; and to have and receive all other fees, profits, and pre-eminences due, on the said day of the coronation, to the principal Butler of England, in as beneficial manner as any of his ancestors, Earls of Arundel, have had the same: and the rather, for that your petitioner holds the manor of Kinninghall, alias Kenninghale, in the

county of Norfolk, by tenure of grand serjeantry,—namely, to be the principal Chief Butler of England.

Your petitioner, therefore, prays that he may be admitted to perform the said office of Chief Butler of England, by himself or his proper deputy, on the day of his majesty's coronation, and to receive all the fees, profits, and advantages thereunto belonging. And your petitioner shall, &c.

Norfolk, E. M.

To the right honourable, the commissioners appointed by his majesty to receive, hear, and determine the petitions of all persons claiming to perform services at his majesty's coronation.

The humble petition of the Honourable and Reverend George Herbert, lord of the manor of Buckenham, in the county of Norfolk,

Sheweth,

That the office of Chief Butler at the coronation of our lord, the king, which, at several coronations last past, has been allowed to, and performed by, the Dukes of Norfolk for the time being, or their sufficient deputies, as in right of the Earldom of Arundel, and of the manor of Kenninghall, in the said county of Norfolk, is not, as your petitioner is advised and verily believes, attached to the said Earldom of Arundel, nor of exclusive right to the said manor of Kenninghall; but that the performance of the said office of Chief Butler, at the coronations of the kings of England (as by reference to a return made by the barons of the exchequer to his majesty's royal predecessor, king Edward the third, in the first year of his reign, as well as to sundry inquisitions post mortem, and other records and evidences, will more fully appear), is the tenure by which the said manor of Buckenham, as well as that of Kenninghall, is held in chief, by grand serjeantry, of our lord, the king, and therefore the said office ought to be performed alternately by the lords of the said manors.

And your petitioner, being seized, in right of Frances, his wife, of the manor of Buckenham above-mentioned, humbly prays that, for as much as the said office of Chief Butler has, at several foregoing coronations, as above recited, been allowed to, and performed by,

the lords of the manor of Kenninghall for the time being, he may be admitted, in right of his manor of Buckenham, to perform the same at the coronation of his most excellent majesty, king George the fourth, taking for his fees the hanaper of gold, with the ewer to the said hanaper, the best cup out of which our lord the king shall be first served at his dinner, and also all the vessels and wine remaining under the bar, and all the pots and cups, excepting those of gold or silver, which shall remain in the cellar of our lord the king, after dinner on the said day of his coronation; and to have, receive, and enjoy all other fees, profits, and pre-eminences to the office of Chief Butler on the said day of the coronation in anywise belonging, &c.—And your petitioner shall, &c.

For the petitioner,

Algernon Herbert.

Which petitions being read and heard, because it does not appear to the said court that the said George Herbert has clearly established his claim to perform the said service, or that the same has been heretofore allowed, Therefore it is considered and adjudged by the court, that the claim of the said George Herbert be not allowed. And because it appears to the said court that, at the coronation of Henry the fourth, king of England, the ancestor of the said Duke of Norfolk executed the office of Butler, and had the basin with the ewer for his fee; and that the same claim has been allowed at the six last coronations, Therefore it is considered and adjudged by the court, that the claim of the said Duke be allowed; and that he have the said basin with the ewer for his fee; but, as to all other the things claimed by the said Duke, the same are not allowed to him. And the appointment of a deputy by the said Duke is referred to the pleasure of the king.

No. IV.

[The following letters are taken from the collection at Norfolk House, which, in fact, is the same to which Mr. Lodge refers, in his *Illustrations of British History*, under the name of the 'HOWARD PAPERS.' These letters, however, are omitted by him; and are here inserted, not because they add much to what is already known

concerning the unfortunate Mary, and the conduct of her inhuman persecutor, but because nothing that relates to her can fail to impart an interest to the reader.]

^a Orig. No.
163.

Secretary Cecil to the Earl of Shrewsbury.^a

“ It may please yo^r Lordship. Where by yo^r late l^res it appeered, that, upon the understanding yo^r L. had of the comming of the lord Leviston and the bisshop of Galloway toward the queene of Scotts, you weare in som doubte in what sorte to receave the bisshop, I have delt wth the queenes ma^{tie} therin, who is well content that yo^r L. shall suffer him to have accesse to the queene of Scotts, as one of those that are licenced by the queenes ma^{tie} to com into the relm to treat, by the generall saufeconducte that her highnes hath gyven for that purpose, w^{ch} saufeconducte I doubte not but the sayd bysshop will shew to yo^r L. at his com^{ing} thither: Wherof I wolde not but advertyse yo^r L. as soone as convenyently I coulde. And so I humbly take my leave of yo^r L. from Westm^r the 28 of November, 1570.

“ Your L. hu^{bly} at com[̃].

“ To the right hon^oable and my

“ W. Cecill.”

very good lord, the Erle of Shrewsburye, &c.”

^b Orig. No.
167.

The same to the same.^b

“ It may please your good L. The Q. ma^{ty} accepteth in most thankfull part this gret circu[̃]spection of Mr. Cotes your gent. porter, and though it be dowtfull how these ciphred l^res shall be discovered, yet the service in the interceptyng of them doth notably co[̃]tent hir ma^{ty}, in y^t she seeth your L. so served, and of so faythfull me[̃].

* * * *

“ Out of Scotland we here y^t y^e K. party is not deminished sence y^e deth of y^e Erle of Lenox, but increased, and a generall gret lykyng of y^e Erle of Marr.

“ My L. of Norfolk cause falleth out dayly more and more to y^e offence of hir ma^{ty}, wherof, in respect of y^e honor and love I bare hym, I am right sorry. And so, wth my hu^ble com[̃]. to your L. and my good lady, I end. Fro[̃] the court at Stansted, y^e 18 of Septemb. 1571.

“ To the right honorable my verie
good lorde, therle of Shrosburie.”

“ Your L. at com[̃].

“ W. Burghley.”

The Earl of Shrewsbury to Sir Thomas Smith.^a^a Orig.
No. 170.

"After my very hartie comēdaçons, I have received yo^r l^res of the xvith of this instant, wth certen writings of a Scottishmā enclosed therin, to be shewed unto this quene, concerning a certen debt that he demaund, whiche accordingly I deliv'ed unto her, upon expectaçon that she wold have signed them. But upon her p'using the same, she aunswered roundely that untill suche tyme as she might have moyauunce to send into Ffraunce, or to be advertised from thens in what state she stand in, touching thaccompts of her living there, she will not signe any bill for the said Scottishman, nor for any other; for she might doubt, she said, that he was payd alredy, and by the signing of the bills he might so obteyne doble payment. Thus she concluded. * * * * And so I comēd you unto thAlmightie. Ffrom Shefeld Castle the xxith of febr. 1572.

"Yo^r loving frend assured,

"Shrewsbury."

"Sir, I shall desire yo^r frendly furtheraunce in procuring money for me, for the diet of the Scottishe quene."

"To my very good frend, Sir Thomas Smythe, Knight,
principall Secretary unto her ma^{tie}."

The same to Lord Burghley.^b^b Orig.
No. 176.

"My very good L. I have received your l^res by this berer, and declared unto this quene the bishop of Rosses request for his relief; wherunto she aunswered that she wold be good unto him. But I p^rceive that Rivlet, her secretary, who hathe chiefly the knowelege and order of her revenues, is not willing therunto. She desireth earnestlie that a Frenche gentlewoman, named Rawley, may be licenced to com and attend on her; wherof she allege a promisse signified unto her by the French ambassado^rs l^res, and saith also that she have great ned of her, by reason Bastians wife is p^rntlie wth child, and so not able to serve her. Thus, having nothing els of moment to advertise, I end wth wishing unto yo^r L. aswel as I wold unto my self. Ffrom Chattesworth, this iiith of Octobre, 1573.

"Your good L. ever assured frend to my power,

"Shrewsbury."

"This Q. at laste hathe wrytten for xv^c crounes for the byshoppe of Rosse."

"To the right hon^{able} my very good L. the
Lord Burghley, Lord Treasauro^r of England."

^a Orig.
No. 191.

Robert Beale to the Earl of Shrewsbury.^a

" My duety most humbly remembred to yo^r honorable good lordship. Uppon earnest sute made to the quenes m^{ty} by Mons^r la Motte, ambassador for the Ffrensh kinge, having of late taken his leave to retorne home, that he might, before his departure into Ffraunce, send som of his folkes to see the Scotishe queene, her highnes hath bin content that two of his nevewes, wth the stuard of his howse and one other gentleman, and two Ffrensh servants in their cūpany, might make their repaire thither: and hathe apointed me aswell to accūpany them thither, as to signifye certen other things to yo^r L. on her m^{ties} behalf. And for that one speciall point of my charge ys, that no letters shold be delyvered to the said queene, or any of her cūpanye, but soche as shalbe seen by yo^r L., nor conference had betwene any of them and the Ffrenshmen comyng, but in yo^r L. p'sence, and therefore am willed to require yo^r L., at their cominge, to apoint som of your trustie servants to have regard that the same be accōplished accordinglye, I have thought good to send this bearer beforehand to yo^r L., to signifye o^r cominge and so moche of her m^{ties} pleasure; most humbly beseching yo^r good L. to send me word back againe by him to Chesterfield (where we mind to be this mōday at night) when we maye cōveniently make our repaire unto yo^r L.: till w^{ch} time I will forbear to troble yo^r L. any further; and so most humbly take my leave. Ffrõ Darbye, in hast, the xixth of Septēber, 1575.

" Yo^r good L. most humbly at cōmandement,

" *To the right honorable, my vearye*

" Robert Beale."

good lorde, the Earle of Shrewsburye," &c.

^b Orig.
No. 193.

Walsingham to the Earl of Shrewsbury.^b

" My verie good lord. The Frenche amb^r havinge made earnest sute to hir ma^{tie} on the behalfe of that queen, yo^r chardge, that shee maye continewe fyve or syx dayes longer at the bathe at Buxtons than the tyme before prescribed unto you for hir abode there, shee is well pleased that you suffer hir accordingly to continewe there; whereof, in hir ma^{ties} name, shee comāded mee to give yo^r L. knowledge. I have also gotten yo^r warrant for yo^r sayd chardges dietts signed, w^{ch} yo^r L. servant, attendynge here for that purpose, will see dispatched at the seales withe speede. And so I humbly commend

yo^r L. to God. From the court at Greenwiche, the vith of Julye,
1576.

“ Yo^r. L. to comāund,

“ *To the right honorable, my verie good* “ *Fra. Walsingham.*”
Lord, the Earle of Shrewsburie.”

The Earl of Shrewsbury to Lord Burghley.^a

^a Orig.
No. 133.

“ My very good Lord, I understand from sum^e of my frends that her mat^{ie} begyn^eth to renew agen her myslykinge of the alowans of [the] Scotishe quenes dyatt, as heretofore she hath done, but the same altered chefly by yo^r L. good p^suasyon : wherefore I am now lothe to trobell you wth most harty desyre that yo^r L. wilbe a p^suadore to the lyke effecte. I nede nott to trobell you wth the infenyt charges and cares that I am sondry waies forsed unto, besydes that I trust her mat^{ie} will nott recompence my xi yeres sarvis wth such a desgrace to the world as this shuld be, my hope beinge to reseve a grettar rewarde. I have wrytten more p^tiklarly to bothe her mat^{ies} sekretores in this mattarre. It is strange that anny can thynke this charge can be kept in safte wth lesse charges ; for it is not dobell that alowans sarves me, wth my extraordinare charges. I will nott trobell yo^r L. wth p^tyklarettes thereof, knoing yo^r L. wysdom and care of her mat^{ies} sarvis, and assureing my selfe yo^r L. will have everie consyderacion to me yo^r frend, who wyshes to you as to selfe. God send yo^r L. helth : this xxvii of Jenuary, 1579.

“ *To the right honorable, my
very good L. the L. Burghley,
Lord Treasurer of England.*”

“ Yo^r L. most faithfull frende,
“ *Shrewsbury.*”

The Earl of Shrewsbury to Queen Elizabeth.^b

^b Copy,
No. 8.

“ Maye it please yo^r most excellent mat^{ie} to p^don my often scrib-linge, and geve me leave in humble sorte to declare parte of my gryef conceaved by the longe deteyninge of the allowaunce for this ladyes dyett and safe kepinge, w^{ch}, to my discreadite, is bruted to p^cceade of some dislyke yo^r highnes should have of my fidelitie or dutyfull care to p^forme the trust comytted to me in this service, wherein (as in any other yo^r mat^{ies} affaires) I would rather spende all I have and lief also, then fayle in anye parte of a most faithfull loyall subiecte, wherof, I thanke God, I was nev^r yet to be impeached : and therfore, most gracious sov^eigne, I suppose this longe staye to come by p^swacion of some that wishe not my creadit and well-doinge. I praye God they dulye respect yo^r mat^{ies} s^vice : for I

assure myself yo^r highnes (endued wth so rare and excellent a gifte of wisdom) cannot but conceive that allowaunce to be farre insufficient to countervayle the charge of that s^{vice} everye waye, besydes the contynuall spoyle of my things, my troubles, and care of mynde, wth danger of lyef also by undue practyzes, wherof former experyence may be a warnynge there is none in my case would so longe have forborne to trouble yo^r mat^{ie} as I have done, knowinge yo^r most princely mynde and bountye to be suche [*as is scarce?*] comparable in lyberalytie, rewardinge whatsoev^r the leaste dutye or charge [*is performed?*] by any in yo^r mat^{ies} s^{vice}: wherby I am imboldened humblye to beseeche yo^r highnes the payment of that small allowaunce may not be longer deferred, to my furdre discredit, wherby I may be the more disabled to p^rforme that dutie of s^{vice} I owe yo^r highnes, w^{ch} I trust yo^r mat^{ie} (on whose gracyous favore I wholly relye) will not suffer, but rather have further considera^{ti}on of me, as my loyaltie and faithfull s^{vice} may meryte in yo^r mat^{ies} sighte. And yf there be any that coulde serve yo^r mat^{ie} better, and woulde for lesse take this charge upon them, I shall most humblye and willinglie yelde to yo^r mat^{ies} gratiouse pleasure, who, I knowe, will never suffer me, after my longe s^{vice}, in thende to be discredited and unrewarded. I beseeche the Almightye God, &c."

Endorsed.

"*Coppy of my lord's l^re to her mat^{ie}
in Marche 158..*"

^a Orig.
No. 127.

Lord Burghley to the Earl of Shrewsbury.^a

"After my very hartie com^{en}da^{ti}ons to yo^r L. * * * Being at my howse at Thebalds at the wryting hereof, where I have bene these iii or iiii dayes absent from the court, I cannot write to yo^r L. any thing touching the matter of the allowaunce of the diet for the Q. of Scotts, wherein, at my late being at the court, I delt earnestly wth hir highnes, and found hir mat^{ie} very resolut, saieing that she had geven order both to my L. of Leycester and Mr. Secretarie Wilson to wryte to yo^r L. therein. Neverthelesse, I mean to deale wth hir highnes touching that matter when I shall return to y^e court again; not doubting but in tyme hir mat^{ie} will be content to graunt payment. And so I bidd yo^r good L. right hartely farewell, 20 Sept. 1580.

"Your L. most assuredly at com^{en},

"W. Burghley."

"I canot by a l're lett your L. know my gessyng, why hir maty is induced to stand as she doth: but I will saye soewhat to your brother Lo. Manors, at my retorn to ye court."

"To the R. honorable my very good L. the Erle of Shrewesbury," &c.

Lord Leicester to the Countess of Shrewesbury.^a

^a Copy,
No. 12.

"My good la. and systar, as I have wrytten to my l. so muste I sygnifie unto yow her maties late comāndment unto me, w^{ch} was, to lett both my l. and yow undarstand that yow have one Marvyn attendant about yow, who doth not use himselff the best in yt howse: and her matie wylled me to put yow in remēbrance of the charge yow have (I men my l. yo^r husband) and what yow promysed towchyng the shunyng of al manner of occasyons to gyve hyr cawse to suspect that she ye rather caused yow to absent my l. children and yo^{rs} that ye lest occasyons shold be offred she hoped yow wold be as vygyllant for all yo^r sarvants: and yet ashuredly she heareth thys Marvyn, yo^r man and my l., doth or hayth geven some speshyall cause of susspycione, and I parceave hir matie doth looke he shold be presently removyd frome that howsse. This hir comāndment I can do no lesse than sygnify accordyngly: and so, beyng somewhat trobled in one of myne eys, doe hartely byd my good la. and systar fare well, this Wensday, the xxiii of Novembar.

"Yo^r assured lovyng brothar,

"R. Laycestar."

"Ashuredly, Systar, I fynd hyr matie verry earnest in thys mattar, not havyng delt wth me of long tyme befor of ane thes mattares."

The Earl of Shrewesbury to Lord Leicester.^b

^b Copy,
No. 12.

"My good L. yo^r lettar of thys xxiii I rasevyd thys xxvii, wherby yo^r L. gyves me undarstandyng as frome hyr matie that one Marvyne attendant of me, that is abesyare dellar (*a busier dealer*) som way than is fyte, and, consyderyng my charg, that I shold take ordare for removyng of hym wth sped, w^{ch} was not long in doynge. Thus mucche muste I say of the gentleman, yf I say truly, that he hayth showed gret care of hys duty to hyr matie, and also professed gret love, and taken gret panes aboute me, whan I have bene trobled wth the goute, at hosse (*whose*) hands I have bene eased most whan I have had gryef, w^{ch}, I thanke God, hayth not bene thys halfe yeare. Yet, whan I had yt last, parsavyng some love entryng betwyxt hym

and Jane Kannyty, the Scots quenes woman, I called hym befor me, and told hym the perryll therof: and he sware to me of a book, he wold have no delyng wth hyr therin. Yet dyd I nevar trust hym synce so well, but that I had good spyall ovare hym of hys dealyngs in my howsse: and so wasse contented to gyve hym leave to be all the som̃ar frome me; and, at hys raytorne agayn, befor I wold grant hym to conteneu in my howsse, I called hym and her face to face, to knowe what assurance of good wyll was bettwyxt thaym. Thay vowed ther was no assurance betwyxt thaym, and openly thay aquyted eche othar: and synce, for ane thyng I know, or by spyall can learne, he hayth parformed yt of hys part. And becawes yt was a mattar of so small momente, I thought it not good to have any further ado therin: and yf I had not parsaved he had gyven ovar hys folly, he shold not have tarryed wth me. So, my trust ys her mat^{ie} wyll thynke of me, whatsoever my ennemys gyves owte: for I know I am envyed for doynge my true sarvys to her mat^{ie}. Yet, she beynge my grashyus suffrane (*gracious sovereign*), as I wyl nevar gyve othar cawes, I nathar care for secret enemy at hom, nor ane enemy elswher. And my doyngs shalbe suche in her mat^{ies} sarves, that I whyshe dayle she myght behold the same: and surely no earthlye thyng can gyve me that comford as to be in hyr mat^{ies} presence to acknowledge my dewty. So I shall dyssyre yo^r lordshyp to uttar to hyr hyghnes, that my onlye trust and comford is in hyr mat^{ie}. So, thankyng yo^r l. for yo^r frendly dealyngs wth me, I seas to troble yo^r l. Sheffield, xxviii of Novembar, 1586.

“Yo^r L. assured cossyne.”

Endorsed by the Earl:

“*The cobby of my lettar to my L. Lestar,
xxviii Novembar, 1586.*”

No. V.

[MS. LANSD. XLV. N^o. 84.]

A collection of the Erle of Arundell his debts, as well to hir mat^{ie} as other creditors. A^o. 1585.

To hir mat^{ie} in the receipt of the exchequier.

To hir mat^{ie} in the coort of the exchequier,
for the arrerages of the ffarme devised by
the late Duke

cccciii^{xx}, i^{ll}.

Also due there, for w^{ch} Will^r Dyx and Will^r Norton stand bound, as p^rcell of the fyne of such landes as were taken in lease of hir ma^{tie} ccc^{li}.

Also due for subsidies of the late Duke, as p^rcell of d^{li}. stalled to be paied in former yeares, for w^{ch} the Erle, Will^r Dyx, and Will^r Norton stand bound : to be paied at Hallowmas, 1585, c^{li}., and so yerelie c^{li}. cccc^{li}.

Also due for old debts of the said late Duke dependenge in Mr. Ffanshawe his office by indenture, for w^{ch}, landes be extended to the yearlie value of cc^{li}. per ann^ũ mccciii^{li}. xiii^s. v^d.

Also due to hir ma^{tie} for the subsidie graunted to hir highnes in an^o. xxiii^{io}. regni, as in the office of the Pipe appeareth c^{li}.

Sum^r mmccciii^{xx},iiii^{li}. xiii^s. v^d.

To hir ma^{tie} in the coort of wardes and lyveries.

There is due for the lyverie of the lo.

Thomas Howard, to be paied in three yeres, for w^{ch} the Erle, the lo. Thomas, and Thomas Whitney doe stand bounden to paie at All Saintes, 1584, cxxxiii^{li}. vi^s. viii^d., and so yerelie at everie the same ffeast the same some

ccclxvi^{li}. xiii^s. iii^d.

There is due for the mariage of the said lo.

Thomas Howarde to be paied in iiij yeres, after cc^{li}. by yeare, for w^{ch} the Erle, the lo. Thomas, and Will^r Dix stand bounden, viz. at Easter, 1584, c^{li}., at Candlemas, 1584, c^{li}., and so yerelie at everie the same ffeastes c^{li}.

dcccc^{li}.

There is also due for the lyverie of the lo.

Thomas Dacre, as p^rcell of d^{li}. to be paied in fower yeares

cccc^{li}.

There is also due for the wardshippe and lyverie of the late lo. George Dacre, by

the Duke's hand, besides that the ffeoffes
of the said Duke have paied for the sisters
and coheirs of the said lo. George Dacres
the somē of MCCCCL^{li}. MCC^{li}.

Sum̄ MMDCCCLXVI^{li}. XIII^s. III^d.

Sum̄ total of all the }
debts due to hir ma^{tie} } V^M,CCCLI^{li}. VI^s. IX^d.

To the ladie Margarite Sackvile, the Erle
his sister, for hir mariage money, viz. by
the Duke's gyfte MM^{li}., and by the said
Erle his gyfte M^{li}. MMM^{li}.

[The particulars of various " debtes due to diverse by specialtie "
are then inserted; to which succeeds the following general view of
his incumbrances.]

Sum total of the Erle of Arundel his debtes due at Mich^s. 1585 : viz.

To the queenes ma ^{tie}	V ^M ,CCCLI ^{li} . VI ^s . IX ^d .
To diverse creditors, as money borrowed by specialtie	VII ^M ,DCXLI ^{li} . XV ^s . VIII ^d .
To the la. Margarite Sackvile, for hir mariage money	MMM ^{li} .
To diverse other creditors, as, merciers and artificers	MCCIII ^{li} . VII ^s . VI ^d .
To diverse victuallers, and for other provi ^c on of householde	DCCIII ^{xx} ,I ^{li} . XVII ^d . ob.

XVII^M,DCCCCLXXVII^{li}. XI^s. III^d. ob.

Exam^d. p̄ Will^m Dyx and Petr. Osborne xxii^o. Januar. 1585.

It is to be remembred that the said Erle payeth yerelie interest,
for the somē of IIII^M,DCLXVI^{li}. XIII^s. III^d., p̄cell of the somē of
VII^M,DCXLI^{li}. XV^s. VIII^d. dewe as above by specialtie, the somē of
CCCCLXVI^{li}. XII^s.

*A Breffe of the estate of the Erle of Arundell's lyvinge
xxi^o. Januarii, 1585 : viz.*

The clere yerelie revenue within the counties of

Norffo	MMIIII ^{xx} ,VI ^{li} . V ^s . I ^d .
Suffo	DXVI ^{li} . III ^s . VI ^d .
Essex	CXXXVIII ^{li} . III ^s . VIII ^d . ob.

Cantabr.	LXXVIII ^{li} . VI ^s . VIII ^d .
Sussex et Surr.	CCLXVII ^{li} . VII ^s . ob.
Arundell possess ^{ns}	DCCCXLI ^{li} . XIII ^s . VIII ^d . ob. quad.
Salopp	CXXXV ^{li} . XIII ^s . IX ^d .
Lincoln	CXXXIII ^{li} . III ^s . VI ^d .
Middx	LII ^{li} . XIII ^s . III ^d .

III^M, CCXLIX^{li}. XII^s. IX^d. ob. quad.

Revenue of the Dacres pos-
sess^{ns}: There is answered
yerelie for the Countesse
of Arundells p^{te} of the
same possessions

DCCXXXVII^{li}. IX^s.

Sum total of the said Erle
of Arundell his posses-
sions

III^M, IX^c, III^{xx}, VII^{li}. XXI^d. ob. quad.

Whereof there is yerelie paied owte as followth: viz.

To the queenes ma ^{tie} , for tenthes and rents	CIIII ^{xx} XVII ^{li} . VI ^s . I ^d .
In rents and pen ^c ions to other persons	VI ^{li} . VI ^s . III ^d .
In anuities graunted for tearme of liffe	MIIII ^{xx} VIII ^{li} . XII ^d .
In ffes to officers and kepers of howses	CLXXVI ^{li} . XV ^s .
The manor of Haylinge in the countie of South ^{ton} , withholden by the lo. Lumley	CXII ^{li} .

Sum[~] MDIIII^{xx}^{li}. VIII^s. V^d.

And so remaneth yerelie towards the charges of hymself, his wyffe,
children, and howsholde, MMMCCCCVI^{li}. XIII^s. III^d. quad.: whereof
allowed by the Erle to the Countesse, his wiffe, towards the appar-
rell of hirself, hir women, and the charges of his children, with other
necessaries, D^{li}.

Exam.' p^r Will^m Dyx.

No. VI.

————— to the Countess of Arundel.^a

“ My duty, right honorable and very good lady, considered, these
are to advertise your ladyship that, wheras my lord, your husband,
hath been wrongfully accused by one, who, hartily repenting himself

^a MS. Life
of Philip
Earl of
Arundel,
p. 55.

thereof, hath here, as I take it, both acknowledged this fault and craved pardon for the same, I thought it a part of christian charity (though I am utterly unknown both to your lord and yourself) to convey them to your honour close seal'd, hoping they will be some testimony of your husband's innocency: charging your honour, as you will answer at the dreadfull day of judgment, (pardon me, good madam, I beseech you) not to accept of them, except you resolve never to shew them till your said husband come in question. And thus hoping to find that expectation of honour and vertue which is esteem'd to be in your honour, I do most humbly take my leave, committing your honour to God's mercifull tuition,"

*" To the right honorable, the Countess
of Arundell, these be d'd."*

The following was the letter enclosed in this :—

^a Orig. MS.
Lansd. 94.
No. 39.

Bennet to the Earle of Arundel.^a

" To the right honorable y^e Earle of Arundell be these d'd.

" Right honorable, and most noble peare, I most humbly uppon my knees, before God and all his angells, and before all the worlde, if need require, with a most penitent, rent, and afflicted conscience and harte, crave mercy and forgevenes for the great offence I have committed against your honour, in my late troubles and confessions. So it is, right honorable, that, being caled in question aboute certen supposed offences in the towre, unto w^{ch} my answer being not to ther contentmentt, a letter of my owne hand, which I did write unto a priest ther in defence of my jurisdiction by him brought in question, was produced; and, because therin I deryved my authoritye from the apostolicke [see], I was accounted and termed amonge them as a deed man, without hir maiestis especiall pardon, which was promised upon condition—pauca sapienti—wth many other faire spechese and alurements, together with many thundering threats of returnge to the towre, torments, and death itselke, if I fayled: [by] which unexpected letter of myne, with threats mixed with fayre promises of life and speedy libertye, together with the great weaknes both of body and mynde by y^e resson of my long and sore imprisonmentt, [I] was stroken into such an astonishmentt and mase, that I confessed every thing that semed to content ther humors, which I parsaved not, at the first, altogether to tend to the ruine of your honor: but, being demanded whether you did send a note unto the

priests in coleharber, to pray for the good successe of the Spanishe fleett, I answered, as truth was, that I never knew or was prevey to any such note: yet, with a most giltye, fearfull, uniust, and most tormented consciencce, only for saving of my life and liberty, I confessed that you moved me to saye a masse of the Holy Ghost for the good success of the Spanishe fleet. For which uniust confession, or rather accusation, I doe againe and againe, and so to my lyves ende, most instantlye crave God's pardon and yours; and, for my better satisfaction of this my uniust suggestion, I will, if nede require, offre upp both life and lymse in averring my accusation [to be], as it is [in] deed, and as I shall answer before Almightye God, before the face of angells and men, most uniust, and done onely of feare of the towre, torments, and death. Thus, not douting of yo^r honors gracious pardon and forgevenes, I will rest my poore afflicted conscience in only God's mercy: my body and life I freely offer to the world, to dispose as it shall please God. The Holy Trinity preserve yo^r honor from perrell of soule and body. Amen.

“Yo^r ho. poore beadsman,
“Will. Benet, Prieste.”

No. VII.

[ESCH. 3 RIC. 2. N^o. 160.]

Inquisitio capta apud Arundel, in com. Sussex, coram Roberto Loxlee, escaetore domini regis in com. prædicto, die Sabbati in septimanâ Paschæ, anno regni regis Ricardi secundi post conquestum tertio, per sacramentum Thomæ Rothale, &c., qui dicunt, super sacramentum suum, quòd non est ad damnum nec præjudicium domini regis, aut aliorum, licet dominus rex annuat supplicationi Ricardi, Comitis Arundel et Surr., factæ eidem domino regi, et singulis articulis in eâdem contentis; viz. quòd idem Comes fundare possit quandam cantariam, sive collegium sex capellanorum, in ecclesiâ parochiali de Arundel, quæ modo est prioratus perpetuus monachorum ordinis S. Benedicti, subjectus quodammodo abbathiæ de Sees, alienigenæ in partibus Franciæ, et domino regi viginti marcas, ratione guerræ inter ipsum et illos de Franciâ motæ, reddit annuatim.

Nec licet idem dominus rex, de gratiâ suâ uberiore, concedat eidem comiti licentiam, quòd ipse omnia temporalia ad dictum prio-

ratum qualitercumque spectantia a priore loci prædicti perquirere possit sibi et hæredibus suis imperpetuum, ad illum effectum tantum et non ad alium, quòd, cum idem comes hujusmodi cantariam vel collegium fundaverit, conferre possit omnia temporalia prædicta capellanis ejusdem cantariæ, sive collegii, sibi et successoribus suis imperpetuum tenenda de eodem comite et hæredibus suis in liberam elemosinam; et sic monachos, qui in dicto prioratu stare consueverunt, quasi in capellanos sæculares commutare: Et eisdem capellanis, quòd, per auctoritatem omnium illorum quorum interest, omnia spiritualia dicto prioratui qualitercumque spectantia sibi appropriare possint, et in proprios usus, in parte sustentationis eorundem, imperpetuum possidere.

Nec licet idem dominus rex advocationem prædicti prioratûs eidem comiti concedat, habendam et tenendam sibi et hæredibus suis imperpetuum. Dicunt enim dicti jurati, super sacramentum suum, quòd quidam Rogerus de Monte Gomerici, quondam Comes Sussex, tunc possessor et dominus totius Honoris Arundelliæ quondam, viz., die lunæ proximo ante festum natale S. Joannis Baptistæ, A. D. millesimo septuagesimo primo, et fundator domûs S. Martini de Sagio, antecessor prædicti nunc comitis, dedit et concessit Deo, et S. Martino de Sagio, et domino Roberto, tunc abbati de Sagio, et monachis ibidem Deo servientibus, in puram et perpetuam elemosinam, inter cætera sibi per eundem comitem collata de dominio suo de Arundel, certas advocationes ecclesiarum, et certas possessiones temporales super quas locus pro inhabitatione monachorum, ad divina celebranda, ibidem possit ædificari. Quo prætextu, quidam prioratus in quodam loco ubi nil nisi toftum habetur tempore præcedente, primò fuerat constructus, et quidam numerus monachorum de abbathiâ prædictâ in eodem impositus, et quidam monachus de Sagio, nomine Gratianus, per electionem cujusdam Radulphi, tunc abbatis de Sagio, de consensu et assensu totius conventûs, primò prior ibidem fuerat constitutus, viz., A. D. millesimo centesimo secundo: ita, videlicet, quòd idem prior, et omnes successores sui, priores loci prædicti imperpetuum, seu alterius loci ibidem, si forte placeret domino de Arundel dictum prioratum ad alium locum transferre, possent et forent perpetui, et plenum regimen curam et potestatem haberent super omnes monachos ibidem commorantes, et super omnes possessiones ad dictum prioratum spectantes, monachos, videlicet, corrigendi, puniendi, amovendi, novos assumendi, et de viris sæculari-

bus admittendi et faciendi, et dictas possessiones alienandi, et alias perquirendi, et quaecumque alia dictum prioratum suum qualitercumque concernentia faciendi, quæ per priorem perpetuum fieri possent aut deberent, eo duntaxat excepto, quòd, cedente vel decedente aliquo hujusmodi priore, fieret electio per abbatem et conventum de Sagio de novo priore ibidem essendo. A quo tempore hucusque, omnes priores et monachi, in eodem prioratu existentes, habuerunt communitatem et commune sigillum, ut prior et conventus, et fecerunt et disposuerunt de prioratu prædicto, et de omnibus illum concernentibus, quicquid eis placuerit, absque alterius auctoritate cujuscumque, prout priores et conventus alii, qui perpetui sunt, faciunt et facere possunt.

Et dicunt ulterius dicti jurati, quòd omnes priores, cum de novo fuerant electi per abbatem et conventum de Sagio, ut præmittitur, per literas eorundem præsentari solent episcopo Cicestræ, et ab eodem admitti et institui in priores loci prædicti, et in eundem prioratum per literas dicti episcopi induci. Et, vacante dicto prioratu, nisi prædicti abbas et conventus elegerint et præsentaverint monachum idoneum ad prioratum prædictum præfato episcopo, in formâ prædictâ, infra tempus in lege limitatum, episcopus antedictus, pro tempore existens, conferre potest prioratum prædictum idoneæ personæ, ut in jure sibi devoluto per lapsum temporis : et taliter, Joannes Mercer, nunc prior ibidem, per collationem domini Roberti, nuper Episcopi Cicestrensis, in jure sibi sic devoluto per negligentiam et defectum tunc abbatis et conventûs, prioratum prædictum obtinebat, et obtinet in præsentî.

Et dicunt, quòd, à tempore cujus contrarii memoria non existit, plures monachi in toto quam prior et quatuor monachi, ad plus, in dicto prioratu nunquam esse consueverunt. Dicunt etiam quòd, aliquamdiurno tempore jam lapso, omnes ferè monachi dicti prioratûs, solo priore excepto, ad partes transmarinas inde recesserunt : et sic prioratus ille, divino pene cessante servitio in eodem, remanet quasi desolatus.

Et dicunt quòd, non diu post dictam primam foundationem, dictus prioratus de voluntate tam prædicti tunc comitis Arundelliæ, quam prioris et monachorum tunc ibidem existentium, ad rectoriam ecclesiæ S. Nicolai Arundelliæ, viz. anno regni regis Henrici secundi xxiiii^o, ubi jam existit, translatus fuit. Quæ quidem dona, concessionibus, fundatio, electio, et translatio, licet factæ fuerant ante tempus

memoriæ, satis tamen bene constant et constare possunt juratis prædictis, ut asserunt, tam per cartas prædicti Rogeri de Monte Gomerici, primi donatoris, quam prædictorum abbatis et conventûs et aliorum, ac per alias veras evidencias, quas prædicti jurati occulariter inspexerunt.

Dicunt etiam dicti jurati, super sacramentum suum, quòd dominium de Arundel, ad quod servitium dicti prioratûs sic fuerat appendens, de prædicto Rogero de Monte Gomerici per successionem hæreditariam postmodum successive descendit de hærede in hæredem, quousque ultimo descendebat, viz., tempore regis Henrici, filii regis Joannis, quatuor filiabus quæ nuptæ fuerunt, viz., una Roberto Tateshale, altera Joanni Filio Alani, tertia Rogero Somery, quarta Rogero de Monte Alto, inter quos partitio facta fuit de toto dominio prædicto; et, per concordiam communem participorum prædictorum, advocatio prædicti prioratûs, inter alias terras et tenementa, remansit portioni et proportiæ prædicti Rogeri de Monte Alto, ut prædicti jurati intelligunt. (Nolunt tamen dicere super sacramentum suum, quòd advocatio prioratûs prædicti expressè fuerat assignata proportiæ prædicti Rogeri de Monte Alto, eò quòd in partitione hæreditatis prædictæ nulla fit mentio de partitione advocationum prioratuum spectantium hæreditati prædictæ, nec aliquam cartam seu indenturam viderunt nec audierunt, talem concordiam continentem: Et similiter quòd dictus nuper comes Arundellie, pater dicti nunc comitis, toto tempore suo per verba clamabat esse advocatus dicti prioratûs, dicens priorem illum esse capellanum suum: Et dominus princeps, pater dicti domini regis nunc, postquam obtinuit hæreditatem de Mohaut supradictam, ut patebit in sequenti qualiter ad illam devenit, et alii domini anteriores, post dictam partitionem, quorum statum idem dominus princeps habuit in eadem, similiter clamabant advocationem prioratûs prædicti, dicentes priorem loci illius esse capellanum suum: Et nullum sæculare servitium de prædicto prioratu pro possessionibus suis, quæ sunt de suâ primâ foundatione, alicui debebatur nec fiebat, nec priores loci illius, aliter quam ut patebit inferius, alicui domino faciebant.) Et de prædicto Rogero de Monte Alto tota partitio sua domini supradicti postmodum, per descensum hæreditarium, devenit ad manus cujusdam Roberti de Morlee, ut consanguinei et hæredis prædicti Rogeri de Monte Alto; qui quidem Robertus totam hæreditatem suam prædictam alienavit dominæ Isabellæ, nuper reginæ Angliæ, in feodo simplici; post

cujus mortem, dominus Edwardus, nuper rex Angliæ, avus domini regis nunc, dictam hæreditatem de Mohaut alienavit domino Edwardo, primogenito filio suo, patri dicti domini regis nunc; et sic devenit advocatio prioratûs prædicti ad manus domini regis nunc.

Et dicunt prædicti jurati, super sacramentum suum, quòd dictus dominus rex, nec pater suus, nec avus suus, nec præfata Isabella, quondam regina Angliæ, nec prædictus Robertus (*Rogerus*) de Monte Alto, nec aliquis antecessorum suorum, nec aliquis comes Arundelliae, unquam, a tempore quo memoria non existit, aliquod commodum, proficuum, seu servitium habuerunt, nec habere debuerunt, de prædicto prioratu, tempore vacationis ejusdem, seu de priore loci illius, prioratu illo pleno existente, eo duntaxat excepto, viz., quòd, cum aliqui priores fuerant de novo electi per abbatem et conventum de Sagio, et præsentati, et per episcopum loci instituti et inducti, in formâ supradictâ, consueverunt offerre se dominis prædictis, quasi patronis, ut significantes se esse priores loci prædicti, et oratores ac capellani dominorum prædictorum, absque aliquo alio servitio hujusmodi dominis aliquallyter faciendo; et sic absque plure, vel aliâ exactione, permanserunt: Et excepto eo, viz., quòd quidam Radulphus, quondam Episcopus Cicestrensis, in crastino S. Marci Evangelistæ, anno Domini millesimo centesimo quinquagesimo octavo, ad submissionem cujusdam domini Hugonis, tunc Comitis Arundel, ex parte unâ, et quendam (*sic*) Nicolaum, tunc priorem prædicti prioratûs, et monachos ejusdem, ex alterâ, et quemdam vicarium ecclesiæ prædictæ de Arundel, ordinationem prædicti episcopi factam super quibusdam litibus inter partes prædictas, certis de causis antea exortis, decrevit et ordinavit, quòd prædicti prior et monachi extunc vicissim celebrarent, quolibet mense, unam missam pro animabus Comitum Arundelliae defunctorum, et unam missam pro Comite Arundelliae superstite, pro tempore existente, quas quidem missas prædicti prior et monachi et eorum successores extunc aliquando celebrarunt, et aliquando non. [The roll then proceeds to describe the property to be transferred from the priory to the college, in almost the same words as those adopted in the patent issued on the same occasion, and printed by Dugdale in the Monasticon, III. part 2. 101—104.]

No. VIII.

[REGIST. EPISC. C. f. 157.]

Fundatio, et Ordinatio Collegii Arundell.

Reverendo in Christo patri, dñō Thomæ, miseratione divinâ Cicest. episcopo, suus humilis et devotus filius, Ricardus, Comes Arundell et Surrey, sui recommendationem humillimam ac reverentiam tanto patri debitam, cum honore, &c. * * * * * Cum Ricardus, nuper Comes Arundell et Surrey, ex sanctæ memoriæ Clementis papæ ordinatione, anno sui pontificatûs tertio (1344), tres perpetuas capellanas in ecclesiâ parochiali Arundell, prioratu monachorum ordinis S. Benedicti, cellâ subjectâ abbathiæ de Sagio alienigenæ in partibus Franciæ, de bonis sibi a Deo collatis fundare statuitque dotare : subsequenter verò, diversis ipsum moventibus, ex paternitate pontificali prædictâ, anno sui [pontificatûs] quarto (1345), impetravit, ut dictas capellanas in capellâ situatâ in castro suo Arundell fundandas concedere dignaretur ; quo ex paternâ celsitudine liberaliter concesso, prædictus pater noster, ulteriore devotione motus, ad Summi cultûs augmentum, pro suâ, suorum, et omnium fidelium animarum salute, in eâdem capellâ, cum tribus supradictis capellaniis, perpetuum collegium presbyterorum, clericorum, et magistri præidentis, de felicis memoriæ Innocentii papæ speciali licentiâ, anno sui pontificatûs tertio (1354), nullo certo numero expressato, obtinuit ordinari : quòdque prædictus comes, pater noster, propositum suum præmissum antequam ad effectum perduxisset, annuente Summo, viam universæ carnis pertransivit, nos igitur, reliquos ac executores ultimæ suæ voluntatis, onerando, juxta sui tenorem testamenti, quòd idem collegium sub numero sex capellanorum et trium clericorum citiùs quo poterimus : et nos, Ricardus, jam Comes Arundell et Surrey, præcarissimi patris nostri prædicti, nuper Comitis, hæres existens, naturali vinculo excitati, et quodam sui testamenti articulo sub ultimâ voluntate sui, cum cæteris executoribus ejusdem, specialiter onerati, ut juxta consilium juris-sapientium et discretionem nostras, aliquibus perlegatis nonobstantibus, ea in melius quo merito poterimus reformare (*sic*) : denique, super maturâ deliberatione et diligenti inter nos aliosque executores et discretos habitâ, considerantes provisa obstacula quamplurima, quum idem collegium perpetuò [in] dictâ capellâ infra castrum nequeat

stabiliri, ac viduitatem et desolationem dictæ parochialis ecclesiæ per quinque monachos monasterii de Sagio solitæ gubernari, qui propter guerras ingentes ad propriam patriam remearint, sicque eandem ecclesiam parochialem, cui injunctum dicti patris nostri erat primitus ordinatum, prædictis monachis divinisque servitiis inibi observandis omninò destitutam, de optimo remedio provisi, pro augmentatione divini cultûs, super præmissis duximus ordinari in dictâ ecclesiâ parochiali de tribus dictis capellanis ex injuncto primitus ordinatis, cum cæteris tribus, numero sex capellanorum, in testamento prædicto limitatis, adjectis ad hoc, pro dictis monachis, aliis quinque capellanis, duobusque nostrâ devotione solâ superadditis, ad honorem omnipotentis Trinitatis, Patris, Filii, et Spiritûs Sancti, ipsius ecclesiæ jam patroni, gloriosæ Virginis Mariæ, omniumque sanctorum; [sicque] quoddam perpetuum collegium tresdecim capellanorum, sub certis modo et qualitate personarum prædictarum statutis et ordinationibus descriptis, fundare disposuimus, atque fundamus, et ordinamus, nonnullos cæteros possessiones et redditus de substantiâ nostrâ temporali eidem in dotem perpetuam assignando. Hoc itaque memoriale exiguum Supremæ Majestati humiliter offerimus, ejusque pietati devote recommendamus, non solum pro salute nostrâ et nostrorum, verùm etiam pro salute ipsorum qui ad supportationem ejusdem collegii opem qualemcumque parvam præstiterint seu favorem; specialiter verò pro animâ [here follow the names of Edward the third and Richard the second, kings of England, of William Rede, bishop of Chichester, the earl's father, mother, brothers, sisters, wife, and children], ac illorum præcipue qui dicto collegio præstiterint seu procuraverint supportationem, aut subsidium caritatis.

CAPUT 1. In primis, in collegio eodem erunt tresdecim capellani seculares perpetuò, beneficiis carentes ecclesiasticis, quorum unus sit custos, sive magister perpetuus, dicti collegii: ac etiam submagister et succentor perpetui erunt: et alii verò dicti collegii capellani seculares temporales erunt, et ad dicti magistri, sive custodis, nutum sive libitum remotivi, ex causâ rationabili. Eritque officium magistri, sive custodis, sine curâ et compatibile cum omni beneficio ecclesiastico etiam curato. Collegium facientes:—quorum unus erit et vocabitur magister, sive custos, collegii S. Trinitatis Arundell, qui sic perficietur: Cedente vel decedente magistro, sive custode, seu officio illo alio modo vacante, cæteri capellani prædicti, propterea in

loco ad hoc deputato unanimiter congregati, tractatu perhabito, nominabunt duos de sociis suis, infra quindenam a tempore vacationis hujus continue numerandam, quos secundum conscientias suas, omisso omni favore et odio, reputant habiliores pro utilitate collegii ad illud officium inter illos: alioquin duos idoneos extra collegium, in quos ipsi vel major et sanior pars dicti collegii consenserit, nominent; et duos sic nominatos, cum literis sub sigillo communi ejusdem collegii hoc testificantibus, ad nos, fundatorem et patronum eorundem, dum vixerimus, hæredes seu successores nostros, post obitum nostrum, infra quindenam prædictam, absque moræ dispendio, præsentabunt: liceatque nobis quem ex illis duobus decrevimus habiliorem Episcopo Cicestrensi ad idem collegium præsentare, si præsens fuerit in diocesi, vel prope; alioquin, ejus vicario vel officiali, qui illum in magistrum sive custodem dicti collegii instituet et perficiet, quâcumque juris solemnitate in electionibus fieri solitâ penitus prætermittâ, eumque, cum literis ejusdem ordinarii diocesani confectis, remittendo, cæteris ipsius collegii capellanis præcipiendo quòd eidem sic admisso et instituto, ut ipsorum magistro et superiori, per omnia pareant et intendant. Ad quod etiam faciendum, sibi literas hujus exhibenti juratoriam obedientiam præstare et facere teneantur, præstito tamen per eum priùs, ut infra sequitur, juramento. Ita tamen quòd, si, infra quindenam a tempore notæ vacationis dicti officii magistri, sive custodis, non nominaverint, ut supra dicitur, denominatio ipsius officii eo ipso, lapsâ quindenâ hujusmodi, insolidum nobis et hæredibus nostris pertineat, per nos loci diocesano præsentanda, ut præmittitur, illâ vice. Si autem nos, vel hæredes nostri prædicti, per quatuor menses a tempore vacationis prædictæ, ut præfertur, præsentare neglexerimus, vel neglexerint, ipso facto creatio magistri sive custodis pro illâ vice ad Episcopum Cicestrensem devolvatur: sic tamen quòd de hujus personâ per prædictum collegium, ut præmittitur, nominetur si sit idonea; alioquin, de alio capellano dicti collegii (dum tamen idoneus ibidem reperiatur) per prædictum ordinarium eidem collegio provideatur; quòdque per hoc nullum, quoad vacationes alias futuras, nominatoribus et præsentatoribus hujus sic negligentibus præjudicium generetur. In præmissis verò, et aliis discordiæ casibus, capellanos ipsos exhortamur, in virtute Jesu Christi, ut, durante quindenâ eorum supradictâ, studeant discordiæ materiam amputare, et se pacis et unitatis filios, etiam in sequentium literarum serie, declarare.

Forma autem literarum super nominatione prædictâ fundatori et patrono transmittendarum, ut præmittitur, talis erit :—*Venerabili et nobili viro, domino N. Comiti Arundell et Surrey, fundatori et patrono collegii S. Trinitatis Arundell, sui humiles et oratores devoti, A. B. C. ejusdem collegii capellani, utriusque vitæ prosperitatem, cum debitâ reverentiâ et honore. Vacante nuper præfato collegio, per mortem bonæ memoriæ Domini N., ultimi magistri nostri, sive custodis, qui, tali die talis mensis, anno Domini infrascripto, ab hac luce migravit, nos vero volentes eidem collegio, quatenus ad nos pertinet, de futuro providere magistro, sive custode, ac propterea in locum ad hoc deputatum convenientes, tractatu etiam super hoc per nos habito diligenti, tandem in duos (A et B), consocios et capellanos nostros, unanimiter direximus vota nostra, ipsosque juxta statuta ejusdem rite nominamus, ac sic nominatos ad vestram venerabilem præsentiam, una cum præsentibus, destinamus, supplicantes attentius ut quod in præmissis et ea concernentibus ad nos pertinere dinoscatur prosequi benigne dignetur vestra dominatio reverenda, quam conservet Altimissimus in tempora duratura. Scriptum super tali die talis mensis, anno Domini, &c.:—Et si sint extra collegium tales capellanos (sic), non facientes mentionem de collegio.*

Alius verò dictorum capellanorum, qui, post magistrum, ad hoc magis aptus et idoneus judicio ipsorum, seu majoris partis eorum, reputetur, in submagistrum per ipsum magistrum perficiatur : quem ideo submagistrum vocari constituimus, quia sub ipso magistro curam et sollicitudinem supportabit collegii, prout inferius plenius est expressum, cujus officium erit perpetuum. Habebit etiam dictum collegium duos diaconos, duos subdiaconos, et duos acolythos alios (*alienos*) a collegio, qui possint et velint ac valeant dictis capellanis in officiis divinis assistere, dictæque ecclesiæ jugiter famulari, [et] cætera ministeria honesta complere, quæ per magistrum sive submagistrum eis rationabiliter injungentur. Quibus adjungi volumus quatuor pauperes parvulos, honestos et expertos et alios (*alienos*) a collegio, in doctrinâ et moribus docibiles, consimiliter, juxta ætatis et gradûs sui decentiam, in officiis divinis hujusmodi servituros, qui ‘choristarum’ vocabulo nuncupentur.

CAP. 2. Quicumque verò in capellanum dicti collegii, diaconum, subdiaconum, acolythum, seu choristam, supradictos fuerit assumendus, per magistrum et saniolem partem collegii admittatur : aliàs verò ipsius admissio invalida sit omnino. Et quamquam sic admis-

sus fuit, cum nullum ordinem regularem profiteri debeat, auctoritate propriâ recedere poterit a collegio, intimatione tamen recessûs sui, ut subinfertur, præmissâ. Decedente quoque aliquo ipsorum capellanorum, per ipsos magistrum et capellanos alius sibi, infra tres menses ex tunc proxime sequentes, substituatur : omnino recedente verò, infra mensem ; alioquin, substitutio ad loci ordinarium sit protinûs, lapso mense hujusmodi, devoluta. Et nihilominus magister et confratres ad arbitrium ipsius mulctentur, seu puniantur. Diaconi, subdiaconi, acolythi, et choristæ, sicut pro voto magistri et capellanorum admittuntur, ita et pro ipsorum libito removeantur ; nec illorum quisquam perpetuus censeatur.

CAP. 3. *De juramento præstando per magistrum in admissione et incorporatione, et per capellanos in suâ susceptione.* Magister, sive custos, ipsius collegii, cum institutus et admissus collegio se representaverit, administrationem sui officii actualiter recepturus, antequam administret in aliquo, corporale præstabit juramentum coram confratribus ad hoc specialiter convenientibus, tactis, viz., sacrosanctis evangeliiis, de fideliter administrando in officio sibi commissio, et servando quæcumque statuta ejusdem collegii officium seu personam ipsius concernentia, et faciendo ab aliis observari, quantum poterit. Consimile juramentum præstabit submagister, quotiens et quando ad illud officium fuerit deputatus, saltem pro tempore quo in eodem officio ministret. Capellani verò corporale juramentum coram ipsis magistro et fratribus præstare teneantur, de observando statuta ipsius collegii, quatenus statum ipsorum seu personam concernunt ; quòd contra collegium nunquam quicquam attemptabunt, nec quicquam attemptanti præstabunt patrocinium, consilium, aut favorem ; quin potiùs jura et privilegia ipsius collegii pro suis viribus conservabunt illæsa, et procurabunt ab aliis conservari. Demumque magistro juratoriam præstare obedientiam teneantur, de parendo, viz., et obediendo sibi, et submagistro cum absens fuerit, in mandatis licitis, canonicis, et honestis. Et quòd diaconi, subdiaconi, et acolythi, ad eorum instar, consimile præstent juramentum. Choristas verò per solam disciplinam convenit coercere. Ut autem capellani, sicut præfertur admissi et jurati, notitiam pleniorẽ habeant de articulis qui sub ipsorum juramento comprehenduntur, et de cæteris articulationibus statutorum, in primævâ admissione suâ detur eis copia eorundem, ut sic plene deliberare valeant de præmissis.

CAP. 4. *De officio magistratûs.* Ad officium magistratûs dicti

collegii pertinere debet bona ejusdem collegii fideliter administrare, dispersa congregare, congregata servare, jura et privilegia ipsius defendere et tueri, ardua et præjudicialia collegii negotia cum consilio firmiter prosequi, caritatem et pacem inter fratres suos cæterosque ministros ædificare perite et fovere, exempla munditiæ doctrinæ et patientiæ, quantum absque contemptu fratris sui poterit, summo studio exhibere, et sicut alios præcellit honore, ita et præcellere studeat in opere et sermone. Totam ipsius collegii œconomiam, provisionem de servitoribus et ministris conductitiis, cæterisque necessariis pro communi suorum victu et vestitu, ad suam solitudinem noverit pertinere : sic in regimine et administratione se gerere, ut de villicatione suâ coram Deo et hominibus rectam reddere valeat rationem.

Magister, infra mensem a tempore administrationis adeptæ, associatis sibi submagistro et aliquo alio de senioribus capellanis, plenum et fidele faciat inventarium de omnibus bonis ipsius collegii mobilibus et semovendis ; confectumque sic inventarium, absque morâ collectis fratribus, exhibeat coram eis. Credita insuper ac debita collegii diligenter investigata, et in scriptis redacta, tali formâ declaret, ut cunctis pateat fratribus in quo statu quicumque magister sic noviter assumptus ipsum contigerit reperire. In fine etiam singulorum annorum quibus officium occupaverit, consimili modo fiat, ut sic constare possit quo statu collegium servaverit, et in quo, fine administrationis suæ, dimittit. Quin verò, si circa præmissa negligenter versatus fuerit, tempore visitationis episcopalis in publicum deferatur ; vel interim, si acceleratio negotii exigit, per aliquos vel per aliquem de capellanis episcopo intimetur ;—proviso attentius, ut non minus in stauro, vel in thesauro, per quemquam magistrorum dimittatur, quàm tempore administrationis adeptæ invenit, nisi aliquâ causâ rationabili excusetur : sed potiùs summo opere studeat quicumque magister implementum, sive inventarium, per eum compertum prout magis poterit ampliare. Ut autem præmissa clariùs et sine suspitione procedant, quodlibet inventarium, de quibus præfertur, in bipertitam et indentatam redigatur scripturam, cujus una pars penes magistrum remaneat, et alia pars penes submagistrum et reliquos capellanos, in tuto loco custodienda, ob memoriam temporum præcipue futurorum.

De bonis communibus ipsius collegii, sive excrescentibus ultra sortem ab initio per magistrum receptam, sive quocumque alio titulo

obvenientibus, nihil sine consensu fratrum alienet magister, titulo donationis inter vivos, vel etiam in suâ ultimâ voluntate. De stipendio namque ipsum singulariter contingente, ut subsequitur, sicut et cæteri confratres de stipendiis suis, aliisque bonis eorum propriis, in vitâ et in morte liberam disponendi habeat facultatem. Cætera quidem bona, de ipso collegio, ultra portiones hujusmodi, provenientia, communia sunt censenda.

Ad officium etiam magistri pertinet audire confessiones confratrum suorum, quotiens ad hoc per quendam illorum congrue fuerit requisitus. Quilibet confratrum illorum saltem tribus vicibus in anno, viz.—in adventu Domini, quadragesimâ, et inter ascensionem Domini et pentecosten,—magistro teneatur plene et integre confiteri, vel alteri de ipsius licentiâ. Magister verò unum de confratribus in confessorum habeat, quem ex eis duxerit eligendum. Quòd si quisque confratrum in hac parte rebellis fuerit, per magistrum rigide corrigatur; et nihilominùs ad id faciendum per censuras ecclesiasticas compellatur. In præfato quidem venerabili patre nostro, domino Episcopo Cicestrensi, firmâ mente confidimus, quòd ipse magistro ipsius collegii, vel submagistro qui pro tempore fuerit, ad honorem Dei et nostram devotam instantiam, pro exercendâ jurisdictione ecclesiasticâ in personis collegii, præmissis casibus et aliis similibus, præsertim obedientiæ vinculum concernentibus, sufficientem cum capitulo accommodabit auctoritatem, perpetuis temporibus duraturam.

Poterit etiam magister, cum ad partes externas ob gerenda collegii negotia, vel alia quæ ad honorem ejusdem concernuntur, se transtulerit, unum de clericis vel de confratribus, si res hoc poposcerit, ad associandum sibi accesserit (*accersere*), qui sibi parere, sub obedientiæ debito, teneatur. Unde necesse est ut magister habeat semper paratos duos equos, cum garsione, pro casibus hujusmodi expediendis quos verisimile est contingere quam frequenter: de quibus quidem equis et garsione per magistrum provideatur de communi.

CAP. 5. *De officio submagistri.* Ad officium submagistri pertinebit cura et sollicitudo collegii in absentia magistri; ut, viz., quæ corrigenda interim evirescerint corrigat et reformet, nisi excessus gravis fuerit, qui redditum magistri merito debeat expectare. Officio magistri qualitercumque vacante, plena administratio ad eum pertineat, quousque novus magister fuerit substitutus; quo administra-

tionem sui officii, ut præmittitur, assecuto, infra quindenam extunc sequentem de quibusque receptis [aut] factis per eum, vacatione durante, plenam et fidelem eidem magistro rationem reddere teneatur : —ita quòd si (*ita nempe ut*) idem magister infra mensem inventarium suum perficere valeat, ut præfatur. In casu etiam quo magistrum contigerit diuturnam continuare absentiam, ut, puta, per mensem vel ampliùs, consimiliter administret, et reddet, cum magister redierit, rationem. Aliàs verò in bonis collegii, magistro absente, non administret, nisi in his quæ servando servari congrue non poterint, vel ingens celeritas hoc exposcat ; —et ad id consensus adsit confratrum præsentium, aut majoris partis eorum, in quo casu rationem, ut præmittitur, reddere teneatur.

Quòd si ipsum submagistrum assumptum contigerit in magistrum, a tempore electionis suæ senior ipsorum fratrum præsentium præsideat collegio, et, tam administrando, quàm rationem reddendo, vicem teneat submagistri, quousque de novo magistro debite sit provisum, nisi ex causâ rationabili fratres præsentis, vel major pars eorum, alium ex ipsis ad hoc judicaverint deputandum. Idem fiat quando-cumque submagistrum contingit absentari, aut si officia magistri et submagistri simul vacaverint.

Pertinebit insuper ad officium ejusdem custodia librorum, vestimentorum, jocalium, et ornamentorum ipsius collegii, quæ sub quâdam paginâ recipiet indentatâ, cujus altera pars penes ipsum, et reliqua penes collegium remanebit ; de quibus, semel in anno, præfato magistro et confratribus suis reddet rationem ; ita ut, cum ab officio cessaverit vel amotus fuerit, possit constare collegio plenius de eisdem : et si aliqua de eis ex ejus culpâ vel negligentia interim perierint, aut deteriorata fuerint, ex suo proprio damnum resarciat judicio sociorum. Si verò vetustate vel casu fortuito corrupta vel deteriorata fuerint, vel aliàs perierint, ad collegium reformatio pertinebit. Quòdque duo clerici prædictorum, quos idem submagister ad hoc idoneos duxerit nominandos, sub eo deputentur, qui horis consuetis pulsabunt. Juvabunt etiam singuli alii clerici, una cum ipsis, pulsare, quoties opus fuerit, ad missas et alias horas in ecclesiâ dicendas antedictâ, quousque per dominum aliter sit provisum.

De modo, formâ, et ordine celebrationis divinorum, tam quoad officia in se, quam quoad personas quæ in eisdem ministrare [debent], pro diebus et horis convenientibus, sollicitam curam geret in absentia magistri, cui et omnes ministri hujusmodi humiliter pareant et in-

tendant. De pane insuper, vino, cerâ, phialis, manutergiis, et cæteris ad celebrationem divinorum necessariis, sumptibus collegii communibus providebit, ita quòd in omnibus semper honestas debita observetur.

CAP. 6. *De officio sacristæ et succentoris.* Insuper statuimus ut unus capellanorum, quem pars sanior duxerit nominandum, succentor deputetur, qui succentor regimen chori supportabit, et omnium personarum defectus a divinis se subtrahentium fideliter notabit, et præsidenti capituli in proximo capitulo præsentabit extunc tenendo.

CAP. 7. *De residentiâ magistri et capellanorum.* Cum præfatum collegium in ecclesiâ prædictâ ad augmentationem divini cultûs pro noto sit astrictum, ita ut, per officia ministrorum ecclesiasticorum divino Numini sedulò famulantium, lucerna Domini continuatis successibus jugiter accendatur; ad hoc etiam præcipue institutum fuit sacerdotale officium, ut, per illud, templum Domini adornetur, divinis insistatur laudibus, et populi ad Deum devotio excitetur, deliberatione duximus [et] providentiâ statuendum, ut tam magister perpetuus quàm cæteri capellani, postquam recepti fuerint, pro tempore moram in ipso collegio faciant personalem, divinis officiis, pro diebus et horis competentibus, insistentes, traditionesque hîc scriptas, prout unumquemque eorum concernunt, efficaciter complectentes. Excusetur nempe magister a residentiâ continuâ, quotiens et quando ob gerenda collegii negotia utilia, vel sua propria necessaria et honesta, se absentat. Submagister, cæteri capellani, et clerici ab ipso collegio a quibuscumque officiis divinis in eâ ecclesiâ observandis nullatenus se absentent; nec in mensâ, nisi licentiâ ab eo magistro præsentepetitâ primitùs et obtentâ, vel, ipso magistro absente, a submagistro.

Hæc itaque specialiter statuimus, ut officia divina in ecclesiâ præfatâ provisius et honorificentius celebrentur; abscedat pessimum acediæ vitium; omnimoda procùl pellatur desidia; et omnes et singuli capellani et clerici supradicti singulis horis canonicis, cæterisque statutis et consuetis officiis, omni postpositâ excusatione, in ecclesiâ corporaliter sint præsentés (nisi infirmitate corporali vel aliâ causâ legitimâ excusentur), necnon et animo, in quantum propter fragilitatem humanam se poterint observare. Magister verò, cum circa negotia communia et domûs occupatus fuerit, sufficienter excusatus censetur, dum tamen hoc ex causâ non accidat fictâ. Ipse enim, tanquam speculum et exemplar cæterorum, quantum magister poterit,

magis suam prudentiam studeat in exequendis divinis officiis exhibere. Capellanus verò qui extra casus prædictos se absentaverit, siquidem in matutinis, missâ, vel vespers, unum denarium, si in quâcumque cæterarum horarum, pro unâquâque earum obolum, dimittat de suo stipendio infrascripto : clerici quidem, qui in similibus casibus [offenderint], dimidium tanti perdant. Cuncta etiam, quæ ex absentis suis hujusmodi amitti contigerint, inter capellanos assistentes in divinis in fine cujuslibet quarterii æqualiter distribuuntur.

Ad præmissa duximus specialiter adjiciendum, ne quisquam capellanorum ad ecclesias convicinas se divertat ad celebrandum divina ibidem, sub colore vicissitudinis aut indigentiae, nisi ipsius magistri, vel submagistri in ipsius absentia, petita licentia et obtenta : sciatque magister in hoc sibi ademptam esse dispensandi omnimodam potestatem, nisi forsan requisitus fuerit ut quemquam ipsorum mittat ad aliquam ecclesiarum hujusmodi, ob infunerandum aliquem de benefactoribus collegii, seu alium probrum virum ; vel ex alia necessitate, utilitate, vel causa licita et honesta : quibus casibus, sic destinatus infra tempus per magistrum vel submagistrum sibi limitandum redeat indilate.

CAP. 8. *De exequendis officiis ecclesiasticis, et modo exequendi.* Non solum missarum solemnibus ac aliis officiis divinis teneantur singuli capellani in dicta ecclesia, ut præmittitur, interesse, sed et missas suas singulis diebus, salva moderatione canonica seu excusatione legitima, in eadem ecclesia actualiter celebrare : quorum unus, qui ad hoc intitulatus fuerit per succentorem, vicissim esse debeat ‘Hebdomadarius,’ et pro illa septimanâ præesse in divinis officiis, et celebrare, per se vel alium ad sui instantiam, singulis diebus magnam missam de die, cum notâ, in magno altari, hora consuetâ, cum collectis secundum usum Sarum communiter usitatis : quam missam, diebus dominicis, festivis, et duplicibus, cum diacono et subdiacono, indutis sacris vestibus, statuimus devote celebrari, nisi aliquod rationabile impedimentum emergat. Alius verò sacerdos de gloriosa Virgine, cum notâ, ad summum altare celebret, quousque in eadem ecclesia de altari provideatur pro eâ in speciali, ubi eandem missam tunc imposterum in honore ipsius Virginis volumus celebrari quotidie, secundum intitulationem submagistri, cum collectis, viz., prima de ipsâ dominâ benedictâ, secunda de Trinitate, tertia et ultima collecta sit generalis pro vivis et defunctis. Alius sacerdos verò, ad

hoc intitulatus, celebret pro defunctis in eâdem ecclesiâ quotidie missam sine notâ, in quâ ad minus tres collectæ dicantur;—prima pro fundatoribus et eorum progenitoribus, scilicet, ‘*Inclina Domine,* in quâ dicat ‘*pro animâ famuli tui, et animâ famulæ tuæ,*’ sub intellectione nominum ‘*Ricardi*’ et ‘*Alienoræ*’; secunda pro benefactoribus, ‘*Miserere quæsumus*’; et tertia generalis, ‘*Fidelium Deus.*’ Sed cum memoria B. Mariæ advenit, eo die celebretur de eâ, sicut de die, per notam; ita quòd post primam, ubi missa de eâ debeat servari, celebretur per notam missa de ‘*Requiem.*’ Et si obitus aliquorum illo die evenerit, stet missa de ‘*Requiem*’ loco missæ de ‘*Obitu,*’ eo quòd pro commemoratione animæ defuncti dicatur collecta specialis, et quòd cum diacono, subdiacono, et aliis ministratoribus, magis solemniter celebretur. Singulis verò diebus dominicis, celebretur, sine notâ, missa de Trinitate, et pro festo loci semper servetur de eâ Trinitate. Diebus veneris, missa de sanctâ Cruce, sine notâ; ac quolibet die, in capellâ B. Mariæ supra portam, per capellanum ad hoc limitatum, volumus celebrari. Et insuper ordinamus, quòd per capellanum collegii, ad hoc intitulandum, de cætero, quolibet die deinceps, in capellâ castri nostri Arundel, missa celebretur, quotiescumque hospitium nostrum exhinc absentar icontigerit: illo verò præsentem, collegium et capellanos a tali opere perpetuò exoneramus.

Statuimus et ordinamus, quòd, singulis diebus, missæ de die et de Sanctâ Mariâ, matutinæ, primæ, vespertinæ, et completorii horæ, cum aliis horis, secundum ordinationem Sarum, cum notâ dicantur in ecclesiâ, ordinationibus specialibus in istis duntaxat exceptis.

Statuimus insuper dies anniversarios parentum nostrorum singulis annis solemniter in ecclesiâ cum notâ celebrari; viz., pro eccellente domino Edwardo tertio, rege Angliæ, xxi.º die Junii; [pro] præcarrissimo patre nostro Ricardo, nuper Comite Arundel et Surrey, hujus operis principali, xxiiii.º die Januarii; [pro] dominâ Alienorâ de Lancaster, consorte suâ, matre nostrâ, xi.º die Januarii; [pro] Elizabeth, uxore nostrâ, iii.º die Aprilis; [pro] domino Joanne de Arundel, fratre nostro, xvi.º die Decembris; et pro venerabili patre, Willelmo Rede, Episcopo Cicestrensi, xviii.º die Augusti: dies verò anniversarios obitûs nostri, venerabilis patris Thomæ, Eliensis Episcopi, Joannæ, Comitissæ Herefordiæ et Essex, et Aliciæ, Comitissæ Cantia, fratris et sororum nostrorum, cum collectâ ‘*de anniversariis celebrandis*’ specialiter intitulatâ; viz., quòd, in die præcedente, dicantur, cum notâ, ‘*Placebo*’ et ‘*Dirige*’; et, in die sequente, missa de

‘Requiem.’ Prædicti autem Ricardus et Alienora, pater et mater nostri, nos, et Elizabeth, consors nostra, hæredes et successores nostri vivi ac defuncti, in memoriâ capellanorum, inter missarum secreta et cæteras devotiones suas, præcipue habeantur Singulis etiam septimanis, duabus diebus, aut saltem unâ, ingrediantur capellani locum ipsorum capitularem, immediate post horam primam decantatam, et, lectâ lectione martyrologii, et expeditis cæteris consuetis, dicatur pro fundatoribus ipsius collegii, cum ab hac luce migraverint, et pro benefactoribus vivis ac defunctis, cæterisque fidelibus, *‘De profundis,’* cum oratione *‘Omnipotens sempiterne Deus, qui vivorum’* &c. Et si accidat obitus alicujus de superiùs nominatis, vel aliis, cujus anniversarius dies meritò celebrari debeat illo die, habeatur pro ipso collecta specialis, quæ prædictam generalem præcedat. Item statuimus, quòd, singulis diebus, post magnam missam in cancello celebratam et horas decantatas, dicant sacerdotes et clerici, qui præsentés fuerint, (quorum media pars stet ex unâ parte chori, altera medietas ex alterâ) psalmum *‘De profundis,’* cum *‘Pater noster’* et *‘Ave,’* et versiculis consuetis; et sacerdos, qui missam celebraverit, dicat orationem *‘Absolve quæsumus,’* et, in sequente, *‘Animæ Ricardi, fundatoris nostri, Alienoræ, consortis suæ, Elizabeth, et animæ parentum et benefactorum eorum et nostrorum, omniumque fidelium defunctorum, per misericordiam Dei in pace requiescant:’* et idem faciant singulis diebus, post prandium et cœnam, in fine gratiarum. Huic ergo recommendationi nominatim, cum ab hoc seculo migraverimus, volumus nos specialiter adjungi.

A festo exaltationis S. Crucis usque ad festum Paschæ, incipiantur horæ matutinales in aurorâ diei, vel antea, si necesse fuerit, exceptis matutinis feriâ quartâ, quintâ, et sextâ, proximâ Paschæ, quæ fient in crepusculo noctis: a paschâ verò usque ad festum prædictum, citò post ortum solis, per tanti temporis intervallum quanti spatium exigit una hora; sic quòd, post horam primam decantatam, missa B. Mariæ incipietur. In sequente verò horâ, Tertia et Sexta servantur; excepto die Pentecostis, quem volumus secundùm ordinale Sarum rite regulari. Interimque quo eadem horæ dicendæ sint, capellani, qui prætermitti valeant ultra indigentiam occupationis chori, missas ad diversa altaria celebrent: ita tamen quòd ad horam diei primam, non jejunalibus diebus, inchoetur missa de die; diebus autem jejunalibus, ad horam diei tertiam incipiatur. Ipsâ finitâ, decantetur hora nona: ita tamen quòd successive celebrent suas missas, in quantum

commode poterunt, ut dictæ ecclesiæ parochiani, et alii illuc confluentes, hujusmodi missas pro suâ devotione audire valeant, prout decet.

In exercendis officiis quoque ecclesiasticis, utantur capellani de super superpelliciis albis, et, nomine habitûs eorum, cappis nigris, cum almiciis nigri coloris, de nigro etiam furratis, ad formam et similitudinem habitûs vicariorum ecclesiæ prædictæ Sarum, officia exequentium supradicta : quos quidem habitus, hac vice, sumptibus nostris propriis, ultra omnem dotem, eis duximus conferendos. Cuilibet etiam dictorum capellanorum aliàs pro habitu providendo, cum indigeatur, liberetur pecunia de communi quæ ad hoc sufficiat ; quæ tamen cedat in partem solutionis stipendii sui, pro anno eodem percipiendi ab eo : et si forte infra annum hujusmodi recedere voluerit, fiat, secundum communem deliberationem, quod æquitas suadebit. Clerici verò et choristæ solummodo superpelliciis et cappis utantur, providendis et reservandis prout antea limitatur.

CAP. 9. *De communi et mutud habitatione, conversatione, et refectioe capellanorum, et cæterorum ministrorum.* Magister et submagister, capellani, diaconi, subdiaconi, acolythi, et choristæ, infra mansum, pro morâ ipsorum per nos deputatum, insimul cohabitent ac conversentur. Capellani mutuò se tractent, singuli singulos prævenientes in reverentiâ et honore ; ita tamen quòd magister cæteris, prout decet, in cunctis præcellat ; ac post ipsum proxime submagister. Deinde, priores tempore, in sessionibus, stationibus, et aliis prærogativis, ubilibet posterioribus præferantur. In aulâ verò ipsius collegii, tanquam in refectorio, tam cibis quam potibus communiter reficiantur ; nec unquam extra aulam ipsam in cibo aut potu ministrentur, nisi corporalis infirmitas hoc exigat, aut alia causa honesta.

Capellani itaque in cameris jam eis assignatis loco dormitorii [nocte quiescant] ; magistro primum et principalem locum, sive cellam, obtinente, submagistro secundum, et cæteri juxta ordinem supradictum : et, in eventu quo ibidem alterum alteri loqui contigerit, secreto eloquio duntaxat utatur. Clavesque claustrî de nocte penes magistrum, si præsens fuerit, aliàs verò penes submagistrum, firmiter remaneant custodiendæ.

Quia verò inter epulas frequenter immiscentur verba otiosa et vana, quandoque contumeliæ etiam et opprobria, ut cujuscumque talis insolentiæ tollatur occasio, et ad suavitatem scripturæ sacræ intentior efferatur intentio, duximus, inter cætera statuenda, ut in re-

fectione principali de divinis scripturis, sermonibus seu homiliis sanctorum, aut vitâ alicujus sancti viri, lectio habeatur, quæ per unum de clericis aut choristis convenienter alternatim poterit expediri : et, si contingat eos in mensâ de re aliquâ tractare, ad honesta et utilia se duntaxat divertant, latinis eloquiis plurimum utentes, præsertim cum nullum extraneum cum eis in mensâ fuerint habiti (*sic*) : sed cum hospites habuerint, tunc eo eloquio utantur quod hospiti magis conveniens et consolatorium videatur.

Statuimus insuper et ordinamus, quòd magistro et cuilibet capellano in esculentis et poculentis secundùm quantitatem *xxiiid.*, diaconibus *xviiiid.* ob., subdiaconibus *xvd.*, acolythis *xivd.*, choristis verò estimationem *xd.*, singulis hebdomadis ministretur. De focalibus verò, ferramentis, aquæ-vessellis, et cæteris utensilibus pro aulâ et coquinâ et pistrinâ necessariis, provideatur per magistri sollicitudinem aliunde ; et, quâque hebdomadâ, consideratis numero et expensis personarum præsentium, memor sit summæ expensarum quam taxatio earum prædicta [monstrabit?]. Quod superest de summâ taxatâ in sequentes reservetur hebdomadas, si forsan in earum aliquâ contingat excessus insolitæ expensæ : ita tamen quòd, in fine cujuslibet anni, fiat distributio de eo quod superest æqualiter inter socios ; quod enim, occasione cujuscumque absentis ultra quindenam continuam, accreverit, communi ærario applicetur.

Ut autem præmissa uberiori industriâ et majore cautelâ procedant, singulis annis, prout confratribus pro tempore magis expediens fuerit, adjiciatur unus ipsorum ministris communibus, secundùm ordinem quem elegerint, pro bursario : qui quidem bursarius, et non alius, quotidianas expensas et earum provisionem diligenter consideret, et eas bene et fideliter, qualiter secundâ die de die præcedente, redigat in scripturam : quem quidem bursarium remunerari volumus de communi, per annum, per magistrum, de summâ tresdecim solidorum et quatuor denariorum : et si pro minore tempore steterit in illo officio, de illâ summâ percipiat juxta rationem temporis ; ita quòd, in fine temporis suæ administrationis, promptam et rectam in omnibus reddere valeat rationem. Magistrum verò, submagistrum, et succentorem ab hoc onere bursarii volumus fore immunes.

Ut distractionis, quantum honestum poterit fieri, amputetur materia, a superinductione extraneorum pro viribus abstineant se capellani : mulieres verò quantumcumque honestas non nisi rarò, et ex causâ legitimâ et honestâ, introducant : suspectas verò, quantum-

cumque modicum, nullo modo. Si quem verò extraneum sic introductum refectionem etiam sumere contigerit, pro quâlibet refectione, si in majore mensâ fuerit, *iid.*; si in minore, *id.*, introducens eum de proprio statim, vel in fine septimanæ, refundere teneatur: aliàs verò de suo stipendio tantundem detrahatur, in supportationem convivarum penitùs convertendum. Si autem pro communi utilitate collegii supervenerit, vel introductus fuerit, de communi per magistrum consimiliter satisfaciatur: et, si caristia victualium hoc poposcerit, æstimationes reventionum hujusmodi proportionabiliter augeantur.

Ultra personas collegii superiùs enumeratas, nullus uniatur expensis supra taxatis, nisi dispensator, brasiator, coquus, et duo garciones qui eis fuerint necessarii servituri, nisi super hoc per magistrum et confratres, vel saltem saniozem partem eorundem, fuerit dispensatum: ita tamen quòd, cum tales expensæ evenerint, fiant de stipendiis propriis, et non de communi. Si verò contingat quòd magister quemcumque artificem vel operarium, pro gerendis communibus negotiis introductum, uni mensæ vel alteri, pro septimanâ vel longiore tempore, ascriberit, satisfaciat pro eo prout mensa sibi assignata exigit et requirit. Non ulli tamen cæterorum confratrum hoc attemptare liceat; immo nec ultra triduum ad mensam aliquam introducere, nisi per magistrum et capellanos fuerit super hoc specialiter, et ex causâ probabili, dispensatum.

Quia verò non decet viros ecclesiasticos, præsertim in ordine sacerdotali constitutos, per se solos et singulariter pervagari, ne, si solivagus forsan ceciderit, non sit qui sublevet ipsum, statuimus et ordinamus, ut nullus capellanorum absque honesto comite in villam aut loca ruralia se transferat, causâ spatiandi aliâve quâcumque, quod etiam faciat de licentiâ magistri, si præsens fuerit, vel submagistri, si sit absens, omni licentiâ pernoctandi extra collegium, nisi ex causâ legitimâ, ei penitùs interdictâ.

Cumque deceat et expediat ministros Christi divino cultui, cui manciantur, operam dare sollicitam, et distractionis materiam, præsertim quoad ludos clericis et Deo devotis prohibitos, ceu minùs expedites, evitare pro viribus, statuimus et decernimus, ut nullus capellanorum et clericorum ipsius collegii infra septa ejusdem ad saccos, taxillos, vel pilam, obtentu lucrandi pecuniam, ludere præsumat: et, in villâ, sive parochiâ, prædictâ, hujusmodi seu consimiles nullo modo. Nullus etiam confratrum venationi cuicumque indul-

geat, nisi in comitivâ honestâ, et temporibus in quibus non tenetur esse in divinis: nec canem aliquem venaticum, quovis exquisito colore, infra septa collegii teneat, aut teneri ab alio patiatur. Sed cum ab officiis divinis vacaverint, lectioni sacræ scripturæ insistant, vel aliis licitis et honestis occupationibus, memores solitudinis apostolicæ, cujus manus ad omnia quæ ei opus fuerat laboraverat, ne otiosus cuiquam videretur.

Item statuimus et ordinamus, quòd capellani prædicti habeant, infra clausuram, unam campanellam, ubi commodiùs viderint suspendendam, ad cujus sonitum debeant convenire tam ad prandium, quàm ad cœnam, vel collationem, &c. Et quòd dicta campanella quolibet die in sero, horâ competente, et ita diu, pulsetur, per spatium dimidii milliaris, quòd dicti capellani, si extra in propinquo fuerint, valeant introire, et in domum dormitionis se collocare: ita quòd infra mansum ipsorum sint omnes de clarâ luce diei, nec postea exeant illâ nocte, nisi forsan ad visitandum infirmos, vel aliâ causâ necessariâ emergente, et tunc solum illi exeant qui ad hoc per magistrum, vel submagistrum, fuerint deputati.

CAP. 10. *De honestate vestium, et stipendio capellanorum.* Cum inhibeat apostolus electos generaliter huic sæculo se conformare, statuimus ut magister, capellani, et clerici curiosâ inventionem in formis vestium, calceamentorum, et cujuscumque alterius apparatus se abstineant, nec, sub fictâ honestatis specie, incentiva præsumant inducere vitiorum. Indumenta igitur eorum superiora sint larga et competentia, quantum poterint, et parum ante, botanatas manicas habeant sine pendulis, et calceamenta sine rostris. In reliquo etiam apparatu, juris ecclesiastici honestate, et gravitate morum, prædictis summo opere se conforment. In transferendo se ad loca remotiora, utantur apparatu pro itineribus congruo, salvâ sibi gradûs sui et ordinis honestate.

Singulis annis vestiantur magister, submagister, et capellani, robis de panno unius sectæ, qui nec nimis sit lascivus, aut splendidus colore: domique residentes, saltem in majoribus duplicibus diebus, se exhibeant in vestibus uniformes. Clerici verò similiter annuatim robis ejusdem sectæ, alterius coloris quàm supra, vel saltem tunicis, induantur: ita tamen quòd singulis annis robas, vel tunicas, habeant condecetes. Horum indumenta longitudine, brevitate, strictitudine, non nimis excedant, sed formam habeant magistri arbitrio competentem. Choristæ etiam, annis singulis, tunicis ejusdem sectæ,

competentibus in figurâ, et pretio magistri abitrio moderando, vestiantur.

De bonis ipsius collegii communibus, pro vestibus et aliis suis propriis supportandis oneribus, percipiat magister singulis annis, nomine stipendii, duodecim libras et decem solidos; submagister sex libras; succentor et sacrista sex libras; quilibet cæterorum capellanorum centum solidos; uterque diaconorum quinquaginta tres solidos et quatuor denarios; uterque subdiaconorum quadraginta solidos; uterque acolythorum viginti sex solidos et octo denarios, ad quatuor principales anni terminos, sub portionibus adæquatis: ita tamen quòd nullus clericorum prædictorum tale stipendium percipiat, ut supra nominatum est, nisi quòd eundem ordinem supportet pro tempore integro, pro quo tale stipendium sibi erit limitatum. Quilibet choristarum pro suis necessariis viginti solidos percipiat annuatim. Superomittendo aut differendo, de uno anno in alium, robas aut indumenta de quibus præfertur, nullam dispensandi habeant facultatem, nisi forsan æstimationem eorundem in communem utilitatem collegii duxerint convertendam: et, ad supportationem expensarum liberatæ suæ providendum, sex solidos et octo denarios volumus per magistrum de cætero persolvi annuatim de communi.

CAP. 11. *De custodia sigilli, cartarum, jocalium, et thesauri.* Habeat dictum collegium commune sigillum pro cartis et literis communem utilitatem concernentibus, ex unanimi deliberatione et consensu magistri et sociorum, inde consignandis; omnimodarum rerum mobilium alienatione, dimissione ad firmam perpetuò, vel ultra septennium, cujuscumque etiam corrodi, pensionis, seu annuitatis concessione, seu assignatione, ipsis magistro et sociis penitus interdictis. Sitque, in loco specialiter per nos disposito, cista fortiter, appositè, et firmiter ferrata, duas habens claves, unam penes magistrum, et alteram penes socios remanentem, infra quam sigillum ipsum firmiter observetur. In hac autem cistâ, cartæ, munimenta, et cætera secreta domûs discrete deponantur. Habeat insuper dictum collegium aliam cistam, in quâ clavis prædicta, indenturæ etiam super statum domûs, ut præfertur, conficiendæ, reliqua munimenta domûs, ut præfertur, et specialiter ipsam concernentia, tute custodiantur sub duabus clavibus, quarum una in custodiâ magistri, et altera in custodiâ submagistri, remanebit fideliter observanda. Pecunia verò, vel alius thesaurus, qui ultra impensas collegii, et

locorum ad ipsum collegium pertinentium, reddito, ut præfertur, per magistrum annuali computo, superfuerit, necnon et jocalia collegii, in supradictâ eistâ, ut præmittitur, fortiter composita conserventur. Granum verò, aut aliud staurum, superexcrecens aut remanens, juxta debitam ipsius magistri exigentiam, cum industriâ sollicitâ reservetur.

CAP. 12. *De humanitate infirmis fratribus adhibendâ.* Juxta sacras canones.....Ideo statuimus, ut infirmis consociis, vel senibus, vel aliâ debilitate confractis, de cibariis et aliis vitæ necessariis eis congruentibus cum humanitate debitâ administretur; ne, eâ occasione, quicquam sibi de stipendiis suis subtrahatur, eisdem sed magis abundantius, si necessitas exegerit, succurratur. Si verò aliquis de clericis aut choristis infirmitate, debilitate, vel inhabilitate laboret, de ipsorum retentione aut expulsionem fiat prout magister et confratres, seu pars eorum sanior, duxerit ordinandum.

CAP. 13. *De correctione criminum.* Quotiens fratres ingrediuntur locum ipsorum capitularem, ut supra tangitur, expeditis his quæ tanguntur ibidem, conferant ad invicem an a tempore præcedentis capituli aliquid emerit corrigendum: et si quidem levis excessus fuerit per quenquam fratrum commissus, per magistrum, si præsens fuerit, vel per submagistrum in absentia ipsius, assistentibus sibi reliquis sociis, corrigatur. Gravia verò crimina, vel excessus, nunquam nisi in magistri præsentia refoventur; nisi forsan magister diu abfuturus fuerit, et periculum sit in morâ. Si quidem inter socios vertatur in dubium de corrigendo excessum an gravis sit vel levis, præsentia magistri, ut præmittitur, expectetur. Si autem adeo grave crimen fuerit, ut committens efficiatur irregularis, vel perpetuò sit suspensus (ut qui commisit homicidium), tunc etiam post peractam pœnitentiam, etiamsi peccatum occultum fuerit, non poterit ulterius in ordine suo ministrare: recedat a collegio, vel, si res notoria sit, a collegio penitus expellatur. Si autem fuerit tale crimen, quod, post peractam pœnitentiam, permittat committentem in suo ordine ministrare, ut adulterium, incestus, perjurium, falsum testimonium, sacrilegium, furtum aut rapina, et similia, et hoc coram magistro et consociis humiliter fuerit confessus, alias tamen coram loci ordinario, vel archidiacono, suisve officialibus, judicialiter non sit convictus, poterit per magistrum, post peractam vel inceptam pœnitentiam sibi injunctam, in executione sui ordinis tolerari,—præstito tamen per eum primitus juramento corporali, quòd nun-

quam idem crimen de cætero attemptabit, sub pœnâ quodd, si fecerit, et super hoc per magistrum, vel aliàs, ut præfertur, per quenquam de ordinariis suis, convictus fuerit, a collegio protinùs expellatur.

Si verò de alio crimine minore convictus fuerit, ut simplice fornicatione, rebellionem, rixâ vel contumeliâ inter fratres, gulâ et ebrietate assiduis, et similibus, primâ vice corripiatur; et, si secundâ vice convictus fuerit, a domo, tanquam incorrigibilis, expellatur, nullo alio cujuscumque ordinarii judicio, in hoc casu vel præcedentibus, expectato. Sed si quocumque prædictorum casuum convictus non fuerit, ut præfertur, sed verisimiliter de quocumque crimine vel excessu hujusmodi sit suspectus, tunc indicatur per magistrum sibi purgatio, vel manu propriâ, vel cum adjunctis manibus, prout vehementia exortæ fuerit suspicionis contra eum, quam sic indictam si suscipere non curaverit, seu susceptam in formâ sibi indictâ non perfecit, pro convicto penitùs habeatur, nullâ appellatione, querelâ, seu alio juris remedio ei quomodolibet valituro. Si quod crimen, occultum vel manifestum, fuerit submissum super aliquo capellanorum vel clericorum prædictorum et ministrorum collegii, actum infra septa ejus collegii, tunc ei, quicumque fuerit, imponatur correctio per magistrum, si præsens fuerit, vel per submagistrum in absentia ipsius, juxta quantitate talis criminis, postquam de tali crimine exactus fuerit et convictus: ita tamen quodd [si] de talibus infra quadraginta dies post notitiam hujus criminis per magistrum vel submagistrum, ut præmittitur, plena correctio non fit, tunc, ob defectum ipsius, integra correctio ejusdem devolvatur loci ordinario, ad id puniendum, illâ vice, juxta demerita delinquentis, ut pro animæ salute viderit salubriùs faciendum. Si verò, quod absit, contra ipsum magistrum alicujus talis criminis vel excessus infamia vel suspicio sit exorta, cum honestate exhortentur eum socii ut materiam scandali vel suspicionis subducatur: et si, binâ vice sic exhortatus, hoc facere neglexerit, denunciatur episcopo per aliquem de consociis, de crimine vel excessu hujusmodi per ipsum episcopum, vel alium per eum deputatum, prout secundum Deum et justitiam videbitur, canonicè puniendus.

CAP. 14. Si quisquam de consociis ex solâ causâ voluntariâ collegium deserere proposuerit, per quarterium anni ante recessum ipsius, propositum hujusmodi magistro manifestare, etiam sub juramenti sui vinculo, ut præfertur, præstiti, teneatur, ut sic saltem congrue deliberare valeat de capellano idoneo sibi, cum recesserit,

subrogando ; nisi interim accidat causa ob quam recedere valeat opportunè, ut causâ promotionis, vel aliâ consimili causâ legitimâ et probatâ emergente. Item volumus et ordinamus, quòd quotiens et quando contingat aliquem capellanorum prædictorum mori, vel amoveri a dicto collegio, ex tunc dictus magister suam diligentiam apponat, quòd alius capellanus idoneus loco ipsius subrogetur infra tempus superiùs limitatum. Item volumus et ordinamus, quòd, in principio singulorum mensium, bursario prædicto solvatur, per custodem dicti collegii, quod sufficere debeat in hac parte, juxta statuta superiùs edita, pro mense futuro, omni aliâ necessitate penitùs postponendâ, salvo statu domûs. Item, ut supra, volumus et ordinamus, quòd provisio esculentorum et poculentorum, pro dictis capellanis dicti collegii nostri, et aliis ministris ejusdem, sit competens, et cui-libet ministretur juxta statum, ordinem, et gradus ipsorum. Item, ut supra, volumus et ordinamus, quòd capellanorum unus, vel clericorum prædictorum, deputetur per magistrum informator et gubernator puerorum choristarum ; et, pro doctrinâ et disciplinâ eisdem impendendâ, percipiet a communi viginti solidos sterlingorum, ultra stipendium sibi debitum, ut præmittitur. Item assignetur

^a careitate focalium dictis capellanis in communi, in aulâ eorum communi, cum oporteat, faciendum annuatim. Item volumus et ordinamus, quòd singulæ domus, ædificia, et mansa dicti collegii reficiantur, construantur, et reparentur, de communi. Item volumus et ordinamus, quòd, cum contigerit aliquod beneficium ex collatione seu donatione prædicti collegii vacari, illud donetur uni de confratribus dicti collegii, in quem major et sanior pars consenserit, et nulli alteri, in casu quo illud aliquis de confratribus voluerit acceptare : alioquin, alteri idoneo et honesto, qui magis expediens et benevolus ad statum domûs poterit censi.

^aThis blank
is in the re-
gister.

Nos, Comes Arundel et Surrey, ac fundator et patronus dicti collegii, nobis potestatem specialem reservamus omnia et singula præmissa corrigendi, mutandi, ac detrahendi, et addendi eisdem, ipsaque interpretandi et declarandi, ac præmissa in parte vel in toto revocandi et annullandi, novaque statuta in hac parte faciendi et ordinandi, mutandi et corrigendi, ad libitum nostrum, prout nobis videbitur expedire : necnon hæredibus nostris, post decessum nostrum, cum consensu Episcopi Cicestrensis qui pro tempore fuerit, omnia et singula præmissa corrigendi, et in meliùs reformandi, potestatem reservamus : sic tamen quòd contra substantiam foundationis prædicti

collegii nihil ordinent vel attemptent. In quorum omnium testimonium, sigillum nostrum fecimus his apponi.

Rushook. Et nos, Thomas,^a miseratione divinâ Cicestrensis Episcopus, dictis statutis et ordinationibus ponderatis ponderandis, ac per nos diligenter inspectis et examinatis; et quia nos dicta statuta et ordinationes, et in eis contenta omnia et singula invenimus fuisse et esse rationabilia, canonica, et juri consona, causæ cognitione et juris ordine in eâ parte de jure requisitâ, supradicta statuta, ordinationes, et contenta in eisdem, per prædictum dominum Comitem rite et legitime facta, quantum in nobis est, etiam ex nostrâ sententiâ, et auctoritate nostrâ ordinariâ et pontificali, approbamus et confirmamus, et robur habere volumus perpetuæ firmitatis; consuetudinibus, legibus, et dignitatibus nostris episcopalibus, ac juribus ecclesiæ nostræ Cicestrensis in omnibus semper salvis. In quorum omnium testimonium, sigilli nostri appensione statuta et ordinationes superscripta fecimus communiri. Datum apud Arundel, primo die mensis Decembris, A. D. millesimo tricentesimo octogesimo septimo, et anno regni regis Ricardi secundi undecimo.

LONDON:

PRINTED BY W. NICOL, CLEVELAND-RROW, ST. JAMES'S.







Tierney, Mark A.

The History and Antiquities of the Castle and Town of Arundel, including
the biography of its Earls, from the conquest to the present time

Bd.: 2. (1834). - S. 351 - 772 : 1 Ill.

London 1834

Brit. 519-2

urn:nbn:de:bvb:12-bsb10282060-9